

ENHANCING EDUCATIONAL AND ECONOMIC OPPORTUNITY IN THE DISTRICT OF COLUMBIA

HEARING

BEFORE THE

OVERSIGHT OF GOVERNMENT MANAGEMENT,
THE FEDERAL WORKFORCE AND THE DISTRICT
OF COLUMBIA SUBCOMMITTEE

OF THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

FEBRUARY 28, 2006

Printed for the use of the Committee on Homeland Security
and Governmental Affairs



U.S. GOVERNMENT PRINTING OFFICE

27-033 PDF

WASHINGTON : 2006

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SUSAN M. COLLINS, Maine, *Chairman*

TED STEVENS, Alaska	JOSEPH I. LIEBERMAN, Connecticut
GEORGE V. VOINOVICH, Ohio	CARL LEVIN, Michigan
NORM COLEMAN, Minnesota	DANIEL K. AKAKA, Hawaii
TOM COBURN, Oklahoma	THOMAS R. CARPER, Delaware
LINCOLN D. CHAFEE, Rhode Island	MARK DAYTON, Minnesota
ROBERT F. BENNETT, Utah	FRANK LAUTENBERG, New Jersey
PETE V. DOMENICI, New Mexico	MARK PRYOR, Arkansas
JOHN W. WARNER, Virginia	

MICHAEL D. BOPP, *Staff Director and Chief Counsel*

JOYCE A. RECHTSCHAFFEN, *Minority Staff Director and Chief Counsel*

TRINA D. TYRER, *Chief Clerk*

OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL
WORKFORCE AND THE DISTRICT OF COLUMBIA SUBCOMMITTEE

GEORGE V. VOINOVICH, Ohio, *Chairman*

TED STEVENS, Alaska	DANIEL K. AKAKA, Hawaii
NORM COLEMAN, Minnesota	CARL LEVIN, Michigan
TOM COBURN, Oklahoma	THOMAS R. CARPER, Delaware
LINCOLN D. CHAFEE, Rhode Island	MARK DAYTON, Minnesota
ROBERT F. BENNETT, Utah	FRANK LAUTENBERG, New Jersey
PETE V. DOMENICI, New Mexico	MARK PRYOR, Arkansas
JOHN W. WARNER, Virginia	

ANDREW RICHARDSON, *Staff Director*

RICHARD J. KESSLER, *Minority Staff Director*

NANCI E. LANGLEY, *Minority Deputy Staff Director*

EMILY MARTHALER, *Chief Clerk*

CONTENTS

Opening statements:	Page
Senator Voinovich	1
Senator Akaka	11

WITNESSES

TUESDAY, FEBRUARY 28, 2006

Hon. Anthony Williams, Mayor, District of Columbia	3
Hon. Sally L. Stroup, Assistant Secretary for Post-Secondary Education, U.S. Department of Education	7
Paul Hoffman, Deputy Assistant Secretary for Fish and Wildlife and Parks, U.S. Department of the Interior	8

ALPHABETICAL LIST OF WITNESSES

Hoffman, Paul:	
Testimony	8
Prepared statement with an attachment	35
Stroup, Hon. Sally L.:	
Testimony	7
Prepared statement	32
Williams, Hon. Anthony:	
Testimony	3
Prepared statement	25

APPENDIX

Questions and answers submitted for the Record from:	
Mayor Williams	44

ENHANCING EDUCATIONAL AND ECONOMIC OPPORTUNITY IN THE DISTRICT OF COLUMBIA

TUESDAY, FEBRUARY 28, 2006

U.S. SENATE,
OVERSIGHT OF GOVERNMENT MANAGEMENT,
THE FEDERAL WORKFORCE AND THE
DISTRICT OF COLUMBIA SUBCOMMITTEE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 10:05 a.m., in room 342, Dirksen Senate Office Building, Hon. George V. Voinovich, Chairman of the Subcommittee, presiding.

Present: Senators Voinovich and Akaka.

OPENING STATEMENT OF SENATOR VOINOVICH

Senator VOINOVICH. This hearing will come to order.

Today the Subcommittee on the Oversight of Government Management, the Federal Workforce and the District of Columbia meets to discuss legislation intended to enhance educational and economic opportunity in the District of Columbia.

As Chairman of this Subcommittee, I understand the special relationship between the Federal Government and the District of Columbia. Congress shares the responsibility of ensuring that the Nation's capital provides a decent quality of life for its citizens and reflects the best in America, a shining city on the Hill. People all over the world should come here and it should be a model for the rest of the world.

The Subcommittee is currently considering three bills, two of which I have sponsored. They are S. 2060, a bill to extend the District of Columbia College Access Act of 1999, S. 1838, the Federal and District of Columbia Government Real Property Act of 2005, and H.R. 3508, the 2005 District of Columbia Omnibus Authorization Act of 2005.

Since becoming Chairman of the Subcommittee, I have made enhancing educational opportunities in the District a top priority. It is important that we ensure that the students in the District develop their god-given talents so they can take care of themselves, their families, and make a contribution to society. As a former Mayor, I understand how important a good education system is to the vibrancy of a community.

S. 2060 continues an effort that we began in 1999 when I worked with House members, and Senators Jeffords and Durbin, to craft the District of Columbia College Access Act, which led to the creation of the District of Columbia Tuition Assistance Grant Program. The aim of this program is to assist District students who do not have access to state-supported education systems, in attending college. Since the program's inception, the District has seen a 28 percent increase in college attendance, many the first in their family to attend college.

I get goose bumps thinking about that. I have worked on many pieces of legislation during my time in the Senate. I must tell you that one of the highlights of my career is the sponsorship of the D.C. Tuition Assistance Grant program. It has meant so much to the District and particularly to those students who didn't have the opportunity to attend college.

Mayor Williams and I were at a graduation last year. It was wonderful to have these youngsters get up and testify about what a difference the DC TAG Program has made in their lives.

S. 2060 would reauthorize this important program for five more years, expand the program to private colleges and universities nationwide, cap the current funding level of \$33.2 million. I would point out that the original authorization provided for \$17 million. We have really doubled the original authorization.

Mayor Williams, I understand that you have some concerns about the bill. I look forward to hearing your remarks.

The second bill we are here to discuss is S. 1838, the Federal and District of Columbia Government Real Property Act of 2005. Under this legislation, the Federal Government would transfer land to the District of Columbia to be put to better use, specifically economic development. The vast majority of the conveyance is contained in three large parcels at or near the Anacostia River: Poplar Point, Reservation 13, and several acres of land near the Robert F. Kennedy Stadium.

I had the opportunity to spend a couple of hours with the Anacostia Waterfront Corporation. I was also very impressed with their planning. I was very impressed with what I saw. I see the potential that is there. This land could be a terrific asset to the District.

The bill also would transfer buildings and property located on the west campus of Saint Elizabeth's Hospital and several smaller properties from the District of Columbia to the Federal Government.

Conveying these parcels of land to the District would free the Department of Interior and General Services Administration from managing property of little value to the Federal Government. Additionally, the District would gain the ability to spur economic development in Southeast Washington (similar to the Chinatown and MCI area in Northwest DC), to better address the needs of its citizens and increase the local tax base.

Finally, we will examine H.R. 3508, the D.C. Omnibus Authorization Act of 2005. The bill was introduced in the House on July 28, 2005, and passed the House on December 14, 2005. The bill would authorize a variety of District of Columbia decisions and policies that require congressional approval, as the matters in-

volved amend the Home Rule Act or other Federal laws affecting the District of Columbia's municipal governance.

We have three excellent witnesses with us today to discuss these bills. First, we have Mayor Anthony Williams. We appreciate your being here today. It is hard to believe that it has been almost 8 years since we first met. You came to Cleveland for a couple of days, and as a former mayor, I tried to show you the successful public-private partnership that we had developed in Cleveland. Mayor, you have done a very good job with public-private partnerships and you should feel proud of the record that you have made during your terms as Mayor. All of us are anxious to see what kind of successor the people in the District decide that they are going to elect. I think that you set a real standard for the District, and we are hopeful that we can get someone of your quality that will continue the leadership and build on the base that you have built.

We also have Paul Hoffman of the National Park Service, and Sally Stroup of the U.S. Department of Education. Thank you both for testifying today.

Senator Akaka is going to be here in a few minutes. We will start with the testimony of our witnesses, and when Senator Akaka gets here, we will then give him an opportunity to make his opening statement.

If you would all stand, we have a custom of this Subcommittee to swear in the witnesses.

Do you swear that the testimony you are about to give this Subcommittee is the truth, the whole truth and nothing but the truth, so help you, God?

Mayor WILLIAMS. I do.

Ms. Stroup. I do.

Mr. Hoffman. I do.

Senator VOINOVICH. Mayor Williams, I am looking forward to your testimony. You are on.

**TESTIMONY OF THE HON. ANTHONY WILLIAMS,¹ MAYOR,
DISTRICT OF COLUMBIA**

Mayor WILLIAMS. Good morning, Chairman Voinovich, and thank you for your kind words, and I want to also thank Ranking Member Senator Akaka, and other Members of the Subcommittee with whom we have worked. Thank you, one, for your partnership with the City. I remember 7 or 8 years ago visiting with you to Cleveland as part of my effort to visit what I thought were well-managed cities, Cleveland being one of them, New York, Indianapolis, Philadelphia, and it really has, I think, allowed us to, and I think you put it very well, Senator, establish a base for my success. There is still an enormous amount of work to be done, but I think we have made significant progress. I thank you for your role in that.

I also thank you for this opportunity to testify to three bills currently under consideration before you, and I have submitted my full testimony for the record, and wherever possible, I will abbreviate my oral testimony this morning.

I want to first talk about the Federal and District of Columbia Real Property Act briefly. It would result in an exchange of more

¹ The prepared statement of Mayor Williams appears in the Appendix on page 25.

than 40 parcels of land totaling more than 220 acres between the District and the Federal Government, and I want to take this opportunity to thank the Office of Management and Budget, particularly Director Josh Bolten, the National Park Service, and the General Services Administration for working closely with the President and with my administration to develop a very complex initiative. The legislation represents a significant step, I believe we took towards stewardship of the land in the District, and ultimately I think it is going to help us, as you suggested, Senator, build a world class waterfront along the Anacostia, supporting not only economic development but the communities that are adjacent to it.

I also believe that it will allow the District to fulfill the legacy of planning that was inherent in L'Enfant's original plan for the District. Despite the evolution of our city as being a small federal enclave to being one of the most dynamic regions in the last 20 or so years, many parcels within our borders remain underutilized, and opportunities that have the potential to really expose a greatness of our city are untapped. The Real Property Act of 2005 is a step toward addressing unfinished business in the District.

I also believe the legislation will promote economic development and make a more vibrant and prosperous area, not only for our city, but for the entire region. I know that you believe very strongly, Senator, that the seat of the Federal Government should be located in a healthy, vibrant city for the benefit of local citizens, for the benefit of foreign visitors, for the benefit of investors, and certainly for the benefit of employees of the Federal Government, and I believe that this bill would allow us to do that.

Specifically, the 2005 Federal and District of Columbia Real Property Act would do two important things. It would transfer ownership of two key parcels of land along the Anacostia River, Reservation 13, and Poplar Point in order to achieve the urban development and environmental restoration goals that are outlined in the Anacostia Waterfront Framework Plan. As you know, Senator, with the help of yourself, Congresswoman Norton and others, we have actually brought together a number of private sector partners, nonprofit entities, and a number of Federal Government departments—including the Navy and the Department of Interior—toward endorsing this framework plan. Any time I think you can bring this far-flung group together to do anything, I think it is worthy of note. And by transferring these parcels, the District will be able to significantly enhance access to the river and parkland and become a destination in its waterfront consistent with that plan.

Now, the second thing that the Act would do is transfer several small parcels of land in the vicinity of the Anacostia River. Many of these parcels, and I would mention Reservation 17A along New Jersey Avenue, Southeast, are already under the District's administrative jurisdiction and will be components of ongoing neighborhood redevelopment efforts. Overall open space in the District will improve under the Act by renovating existing parkland to create more accessible green space, and I will give you an example. The conveyance of Poplar Point under the Act will grant residents and visitors easy access to the site which is presently hemmed in by roadways, making it practically inaccessible, and it also suffers from environmental contamination. The Congress through the

transportation bill has funded work on the rebuilding of the Frederick Douglass Bridge which bounds the site. So this would be consistent with congressional action already undertaken. This site is right across the river from the proposed, and I hope soon-to-be-implemented, new baseball stadium on the river.

Now, conveying title to Federal property in the District will not harm the Federal Government, I would add, since virtually all of this has no Federal activity at the moment. For example, Reservation 13, which is commonly known as the site of D.C. General, across East Capitol from RFK, hasn't been used by the Federal Government in 157 years; whereas, we believe if we had title to the property, we could implement a plan to create a vibrant mixed-income community.

There would be economic benefit to the Federal Government, we believe by this, because transferring property to the District is going to provide more contiguous park preservation, and the National Park Service can speak to this, but I think it will make their job easier and allow them to take costs that are avoided and put them into other key strategic initiatives consistent with the plan of the Park Service and Secretary Norton.

The Real Property Act of 2005 will also provide a sound economic benefit to the Federal Government by resolving millions of dollars in litigation claims brought by the District against the Federal Government. These claims are the cause of legal action for the failure, we believe, to reimburse the District for costs associated with Saint Elizabeth's Hospital. We would waive that as part of this package.

Finally, I want to emphasize that this Act will provide the Anacostia Waterfront Corporation with the tools it needs to proceed on implementation of the Anacostia Waterfront Initiative. This is an initiative that has been endorsed implicitly, for example, by the Administration in a series of bills that have funded parts of Anacostia Waterfront Initiative. It is consistent with Council legislation. It reflects a careful balance, as you know as a mayor and governor what you have to do between commercial, residential, recreation space, or public amenities in any kind of situation like this.

Senator, I want to speak on the College Access Act. I believe, just to begin with, that the College Access Act is something that the Congress ought to be particularly proud of because it has been very successful and it is something that was sponsored and initiated by the Congress. In fact the District of Columbia Tuition Assistance Program has been a tremendous success, as you recalled Senator, since its inception in School Year 2001–2002. For the most recent school year, for example, 2004–2005, 4,754 students received funding from the TAG program.

Recognizing the success of the program, the President requested and Congress approved \$33.2 million to continue the program in 2006. By continued support for this successful program, the Administration certainly understands the importance and value it has brought to young college-bound residents of the District of Columbia, who would not have had an opportunity to attend a 4-year institution without this successful program.

The TAG program, as it is called, is a marquee Federal initiative established by the Congress. It compensates the District for our

lack of a State university system that the rest of the country enjoys by allowing our high school college-bound students to attend out-of-state public universities, as you know. Now, unfortunately, the program's costs have continued to grow rapidly due to two things, both outside of our control: One, rising tuition costs nationwide; and, two, a good thing but it has had a financial impact—rising program participation.

The program provides grants up to \$10,000 annually for District students to attend eligible colleges and universities at in-state tuition rates. It provides grants of up to \$2,500 for students to attend private institutions in the DC metropolitan area and private historic black colleges and universities as well as public 2-year community colleges. In 2005, our students were enrolled in universities and colleges in 45 States across the country, the District, and the U.S. Virgin Islands.

Now, the program has had many successes. In June 2004, the program graduated its first class. The second class graduated in June of last year, and you referred to that, Senator. For 75 percent of the students surveyed at Woodson High School in the District, TAG affected their decision to pursue post-secondary education, and 65 percent of these students have said that the program has also affected their school choice. Also important to me is that 55 percent of the participants are first members of their immediate family to attend college.

Now, while I welcome changes to the program that would expand benefits and eligibility, any change would have to be considered within the context of the overall viability, financial viability, of the program. Expanding participation to all private schools would, for example, provide many more options to District residents, but it would also extend the current fiscal challenges faced by the program.

In recent years, as I mentioned earlier, costs have risen dramatically for the program because of rising participation and tuition costs. I appreciate the Congress' broad support for these increased needs, and I understand that the Congress is concerned about costs exceeding available Federal funds. There are several options that are available to address these costs which I have to be, as a realist, willing to explore. Some that have been mentioned are making a pro rata cut in each participant's grant award, restricting the number of participating colleges and universities, reducing the maximum amount awarded, or making the program need-based. I have to say, though, Senator, that all such options are very attractive to me because this has been a very successful program, and I think that these options would detract from its success, and I would hope to keep the existing program in tact to the greatest extent possible.

When you think of a program initiated by the Congress that invests in college matriculation and successful graduation and you look at the costs that are avoided by the District at the local and State level and by the Federal Government in everything from substance abuse, criminal justice system, and penal institutions, I think it is a very easy case to make that the overall program return on investment by this strategic congressional initiative ought to be realized and the program continued.

Once again, Mr. Chairman, I thank you for the opportunity to testify. I look forward to answering any or all of your questions.

Chairman VOINOVICH. Thank you, Mayor. Ms. Stroup.

TESTIMONY OF THE HON. SALLY L. STROUP,¹ ASSISTANT SECRETARY FOR POST-SECONDARY EDUCATION, U.S. DEPARTMENT OF EDUCATION

Ms. STROUP. Good morning. Thank you for inviting the Administration to testify today, Mr. Chairman. I am here to testify on behalf of the District of Columbia Tuition Assistance Grant Program.

The Administration shares Mayor Williams' goal of bettering the lives of residents of the District of Columbia through improved educational opportunities. We appreciate his efforts on behalf of the elementary, secondary, and post-secondary students in the District. The Administration strongly supports the reauthorization of the District of Columbia College Access Act of 1999.

As you noted and the Mayor noted, it was designed to provide eligible college-bound students living in the District with greater choices among institutions of higher education. Its accomplishing its goal. The numbers are pretty staggering, I think, when you talk about the growth in the program in the short time it has been in existence. I do think we need to give credit to the Mayor and the City Government for their work in implementing this program. They have been managing this program since its inception and they have worked to administer it on behalf of the residents of the District. As with any new program, it takes a lot of hard work to get the program to work efficiently, to make sure you have all of the implementation kinks worked out, to make sure it is effective on behalf of the students. The increasing number of students who are benefitting in this program each year, I think, is evidence that the program is working on behalf of the District's residents.

As the Mayor noted, there are more than 4,700 students enrolled in the program, but I think what is striking about that is that there are 600 colleges who are currently participating in the program. They have signed agreements with the District. As someone who works at the Department of Education on higher education matters, I can tell you that dealing with hundreds of colleges, all who have their own rules and procedures, is never an easy task. So the fact that the Mayor has been able to get all of the institutions who have students enrolling there willing to participate is certainly a credit to the District, and they should be commended for their hard work.

The statistics are impressive, as we said, but I think the statistics you mentioned are actually more important when we talk about the students who benefit from this program, how many of them would not have gone to college if not for this program, and, as you noted, how many of them are first-generation college students. It is certainly one of the most important things we can do on behalf of the students in this country.

Our budget request, as you mentioned, is at \$35.1 million. It is an increase of \$1.9 million over 2006, and we believe an increase is needed in order to keep pace with rising tuition costs and in-

¹ The prepared statement of Ms. Stroup appears in the Appendix on page 32.

creased student participation. As the Mayor noted, tuition is going up. It is a fact of life. I don't see it changing any time soon. We track tuition increases every year at the Department to make sure we know what is going on. I think States are working on controlling tuition costs, and institutions know that Congress is certainly watching their tuition increase across the country. At the end of the day, we still see tuition increases anywhere from 4 percent to 9 percent on average. That seems to have actually stabilized at those rates compared to days when we were seeing double-digit increases in tuition rates.

As you know, 90 percent of the fastest growing jobs in this country require some post-secondary education. We want students living in the District to have an opportunity to pursue the education that will help them get one of those jobs. This program, when you add it to and think about it in the context of the \$80 billion that the Federal Government will make available in Federal student aid this year, will really help all of our students pursue their dreams of college education. We do believe that is the priority of the Administration.

That completes my testimony, and I would be happy to answer any questions, Mr. Chairman.

Chairman VOINOVICH. Thank you very much. Mr. Hoffman.

TESTIMONY OF PAUL HOFFMAN,¹ DEPUTY ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR

Mr. HOFFMAN. Thank you, Mr. Chairman.

My name is Paul Hoffman. I am Deputy Assistant Secretary for Fish, Wildlife, and Parks with the Department of the Interior, and I am here today to testify, on behalf of the Department, in strong support of S. 1838, the Federal and District of Columbia Real Property Act of 2005. We do have some clarifying amendments we would like to recommend, and I will get to those in the course of my testimony. This is a bill that was submitted by the Administration last July, and I have submitted written testimony for the record.

A little bit of personal background: I come from a small community called Cody, Wyoming where I was involved in Chamber of Commerce work and economic development and actually was engaged in getting some legislation passed for the sale of some land to us for the purpose of economic development. I now have the opportunity to represent the Secretary of the Interior on the Board of Directors of the Anacostia Waterfront Corporation, and it is a real distinct honor for me to watch landscape community redevelopment and revitalization and to see the plan that the city has put together and to have an opportunity to help implement that plan over time.

There is an interesting similarity between the land ownership pattern in the District of Columbia, the Federal land ownership pattern, and the land ownership pattern in the west, yet there are some unique differences as well. Clearly there is a strong relation-

¹The prepared statement of Mr. Hoffman with an attachment appears in the Appendix on page 35.

ship between the Federal Government and the District of Columbia as established by the Constitution, and this is our Nation's capital, as you mentioned in your opening remarks.

There are two major purposes to this piece of legislation. The first and foremost is to facilitate the shared goals of the Anacostia Waterfront Framework plan. Mayor Williams began the public planning process for this in March 2000, and the plan was adopted in December 2003. The D.C. Federal Agencies Memorandum of Agreement was set out “. . . to contribute to the revitalization of the surrounding neighborhoods, provide enhanced park areas, develop government-owned land for the benefit of the people of the District and the Federal and District Governments, where appropriate; increase access to water, where appropriate; and enhance visitor participation in the activities and opportunities provided along the new waterfront.”

A second major purpose of this legislation is to improve the management of National Park Service lands within the District of Columbia. The bill has several components, and I am going to focus my testimony on Titles II and III of the bill. Title I is the GSA transfer of the hospital which the Mayor spoke to. The other two titles basically break down between transfers of jurisdiction, which are authorized under current laws, and conveyance by deed, and I will clarify those as we go forward.

The bill will transfer jurisdiction from the District of Columbia to the National Park Service for a variety of properties within the District that are for the most part platted roads that have never been built, and those roads are contained within other National Park Service units now, and this will clean up boundaries and facilitate enhanced management of those sites as park areas for the citizens to enjoy. It also includes transfer of jurisdiction back to the National Park Service for access that was formally provided for the proposed Mayor's residence that was not built. Then the last transfer is for the transfer of the triangle over here by the Capitol for the construction of the American Veterans Disabled for Life Memorial. There are two pieces of land set for transfer within the bill. We have worked very closely with the Architect of the Capitol and the U.S. Capitol Police on that, and after working with them, we determined that in order to address traffic concerns and pedestrian safety, that the south piece, the piece south of C Street, should not be transferred. Just the north side of C Street should be transferred. So that is the first clarifying amendment.

The second set of transfers is from the National Park Service to the District of Columbia. This includes access to D.C. Public Works sites, giving DC access to portions of Canal Road, Fort Reno Salt Dome and leaf collection facilities, Eastern Market Metro, 8th and M, Southeast commercial development area, the Mount Vernon Square City Museum, and the Florida Avenue Parks. This will not adversely affect National Park Service management of their lands within the District of Columbia at all.

Now, for the conveyance by deed, there are two properties proposed to be transferred or conveyed by deed from the District of Columbia to the National Park Service. Those are lands along the C&O Canal that were originally part of the Georgetown plan and so all were deeded in the name of the District of Columbia, and

this would facilitate management of the park there, and also Needwood, Niagara, and Pitt Streets, which would allow improved maintenance and the removal of a couple of dead-end roads in Rock Creek Park.

Conveyance by deed from the National Park Service to the District of Columbia includes several small parcels, a former DC transfer facility, the Randall School parklands, Potomac Avenue, Southeast triangles, Virginia Avenue, Boathouse Row, and Waterside Mall. Also included among those properties would be the Reservation 174 triangle at the former Convention Center site, and we would ask that a clarifying amendment be added to this bill to address our desire that in the planning for the redevelopment of the Convention Center site, that at least one of the options considered in that plan includes keeping the triangle itself as open space. It is consistent with the original design and triangles of the L'Enfant plan. Generally speaking, the plan ought to include at least that amount of open space retained in the redevelopment in all of the options. The Mayor mentioned 15 acres near RFK Stadium, and we support that transfer, and then there is the 100 acres at Poplar Point. Sixty-five acres are currently occupied by National Park Service facilities. Thirty-five of those acres are the former tree nursery for the District of Columbia and the Architect of the Capitol. There is a little bit of a cloud on that title, and this conveyance will clear that up. The bill would require the District to retain 70 of those 100 acres in parkland-type conditions, and we would like to recommend a clarifying amendment with respect to that, that the parkland maintenance be included in a restriction on the deed of conveyance.

We also believe that there should be a provision in the bill to make the overall agreement third-party enforceable. And, last, the District of Columbia, as the Mayor mentioned, would assume the environmental liability associated with these properties.

The bill does require the District to replace the National Park Service facilities at no cost, and we would ask that there be an amendment to clarify the bill, that those facilities would be provided at no cost upon the Secretary's approval, and that all rights, title, and interest would be transferred unencumbered to the National Park Service when complete.

In conclusion, Mr. Chairman, this is a package. It was carefully negotiated among a number of us; OMB, the District of Columbia, the Anacostia Waterfront Corporation, and the Department of the Interior were all involved. It has been carefully put together, and we believe it represents a good package. I will not say it is an equal value exchange, but it is a good package that represents benefits for both the District of Columbia and the National Park Service. A healthy DC economy, a healthy environment, and the good healthy community is beneficial to the Federal Government, its leaders, its employees, and the visitors to our Nation's capital.

Thank you, Mr. Chairman.

Chairman VOINOVICH. Thank you very much, Mr. Hoffman. We are pleased that Senator Akaka has joined us.

Senator, would you like to make an opening statement.

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Yes. Thank you very much, Mr. Chairman.

I first want to welcome all the panelists, Mr. Mayor, Ms. Stroup, and Mr. Hoffman.

May I apologize for being late. I was in the press conference on Katrina and telling the story of the devastation that I saw there—this was about 5 months ago—all of the good people that have come back and restored the energy and infrastructure as well as the energy distribution there, and also to make a commitment that I would continue to support the efforts to help the Gulf Coast. That is why I was a little delayed, and I thank you for being so patient, and I want you to know that in my time here in the Senate, I have enjoyed working with our Chairman and look forward to the tough assignments that we have facing us in the future.

So I want to thank you, Mr. Chairman, for having this hearing, and we know that it is this Subcommittee's responsibility to oversee the management of DC without intruding on the right to self-govern, commonly referred to as D.C. Home Rule. We want to be sure that there is that understanding.

I am proud to be a cosponsor of the S. 2060 which authorizes the District of Columbia Tuition Assistance Grants Program. As a Federal City, DC does not have a State university system such as the University of Hawaii system, which has 10 campuses and educates over 50,000 students every year. To fill this need, DC TAG provides funding for DC residents to attend colleges and universities across the country. DC TAG has increased college enrollment in the District by 35 percent since the year 2000. As a former educator, I firmly believe all Americans should have access to a college education, and I am pleased to support a bill which helps to make that happen.

Under the District of Columbia College Access Act, the Mayor has authority to implement cost-saving measures to the DC TAG program in order to keep the overall cost of the program closely to the originally authorized amount of \$17 million. However, the program has exceeded the authorized amount by almost 50 percent. This increase means that most students are attending college, which pleases me; however, we need assurances that the costs of this program will not continue to grow so quickly. I understand, Mr. Mayor, that you do not want to restrict DC TAG, but it may be necessary. What you will do to ensure that the costs for DC TAG stabilize is a question we would like to have answered.

So thank you very much, Mr. Chairman.

Senator VOINOVICH. Thank you, Senator.

Thank you all for your testimony. I would like to start by pointing out that this Subcommittee and Congress have been very sensitive to the needs of education in the District. Mayor, because of your backing we have now have \$14 million for a voucher program in the District. We have \$14 million for charter schools, and we increased the District's money for public education to \$14 million. One of these days, I would like to hear how those programs are working in the District.

I am particularly interested in the voucher program. Because I supported this program, I didn't get the endorsement of the Ohio Education Association even though several years ago, they said

that no governor had done more for education than myself. I do believe in the voucher program, and I am very proud that the program we instituted in Cleveland went to the U.S. Supreme Court, and they ruled that it was constitutional.

Mayor Williams, do we have the folks responsible for managing the DC TAG program here today? Would you introduce them? I understand they are doing an outstanding job.

Mayor WILLIAMS. Yes. We should recognize Deborah Giss as the State educational officer for the District. She is actually a former teacher. She revived volunteer efforts in the District. She has done an extraordinary job. She is sitting right there, and she is responsible for the program overall as State education officer. And John Parham is the Director of the TAG program itself.

Senator VOINOVICH. I am glad that you are here today. I understand that you have done an outstanding job of administering the program. Thank you very much for your leadership and good work.

As we discuss DC TAG, we must point out the private sector support for this program. We have a public-private partnership here. The D.C. College Access scholarship program was modelled after the Cleveland scholarship program and has been very successful. Mayor, how many of the DC TAG students also receive the DC CAP scholarships? Do you have that statistic available?

Mayor WILLIAMS. I can get you that exact number. It is a very high number. I actually think that one of the tremendous attributes of this program is the way that it has leveraged a public-private partnership, and I will give you just one example. People ask me, the people I am supporting for ownership of this baseball team, and my primary reason for supporting one group over another is that some key members of this group have been very instrumental and pivotal in the college access program. I think it is a tremendous example of directed focus, productive philanthropy working with government.

Senator VOINOVICH. I want to congratulate the private sector involvement for supporting this program. I understand through the grapevine that there is probably going to be an increase, a substantial increase, in the amount of the scholarships that are available to the students in the District, and I think that is just great.

That is the other side of this program, Senator Akaka, that this is not exactly the yeast that raises the dough. In addition to the money we are putting in this program, we do have the private sector who is participating significantly to help these youngsters that need more help than what is available through the DC TAG program.

Mayor Williams, the bill as we have introduced it, expands the program to private schools nationwide. There are several of my colleagues in the Senate who feel that if we are going to have private schools available, that it should go beyond the District of Columbia, Maryland, Virginia, and historic black institutions that are private. I would like to know what you think about the expansion impact it would have on the program. In the alternative, would you suggest that maybe we limit the participation of private schools in the program to just those that were originally in the program, those in the District, Virginia, and Maryland? Could we hear from you on that?

Mayor WILLIAMS. Well, Mr. Chairman, I would prefer to see the program remain according to its original parameters with the private colleges limited to the immediate area, because we have seen that this is really reflective of the original development of the Act. It really is informed by what the students' choices actually are.

I also want to mention or make a point here that I think when you consider the two costs that are driving this program, one, tuition increase and, two, the attendance and the enrollment. While we can't control the tuition costs, we believe that the enrollment is going to stabilize over the next couple of years once we have a full cohort of students. As Senator Akaka was referring to, I don't think we are going to be seeing these double-digit percentage increases in the program and the allotment for the program year by year, and I would prefer to control it that way and would pledge to control it that way, rather than changing the program in terms of allowing attendance at private schools across the country. From a programmatic point, I think, limiting the amount that we can offer each student or limiting the number of students because we only have a limited amount of money is the preferred way.

I could get you exact figures of what we estimate the impact of that would be.

Senator VOINOVICH. Yes. I would like to see. In other words, your initial reaction is that you are not supportive of expanding it to private schools around the country?

Mayor WILLIAMS. One, because I think it would have a program impact and, two, I think the original idea implicit in the program—there is an exception for private schools in the immediate area, but the original point was the District doesn't have its own State university system. So it made sense to extend this option to students to State systems across the country as opposed to private schools across the country. I just think it is more consistent in the design and architecture of the program.

Senator VOINOVICH. If we limit it to the original schools that were included in the private schools, that would mean that we would cut back on providing money for private HBCs.

Mayor WILLIAMS. It could. I mean, it is a balloon, and any time you push on one area, it is going to affect another area.

Senator VOINOVICH. The original legislation was intended to mimic or mirror what we do in a State. If a student goes to a public university, they are provided the tuition subsidy, and if they want to go a private school, it would be a private school in the District or Maryland or Virginia with the concept that it be much like the State. Congress later expanded it to include private historic black colleges.

Mayor WILLIAMS. Twenty five thousand dollars, right.

Senator VOINOVICH. I am concerned that if we limit it to the private schools that were in the original bill, I am sure we will catch a lot of flack from the private historic black colleges around the country. Some of my colleagues are saying, if you make it available to them, why don't you make it available to everybody else. This has been a real issue because the Senators felt that it wasn't fair.

The other thing is this: I think Senator Akaka made the point, is we are concerned about the cost of the program. I know there has been some discussion that we build an inflationary factor in

the funding of the program, possibly the average cost increase in tuition. I don't think I would support that because it is more like an open door in terms of the finances. Perhaps a cost of living increase would be a fair way of doing it.

Is there any reaction to this?

Mayor WILLIAMS. I can understand why the Senate and the Congress, in general, would want to have some kind of objective basis for making an inflationary adjustment and not leaving it kind of open-ended for the schools to develop on their own, so that there is negotiating pressure, and I could support the Congress establishing some objective yearly adjustment and then with the understanding we on our end would work on the enrollment side to keep the program roughly within bounds in the out years.

Senator VOINOVICH. I know that there have been some efforts to keep the costs down. Are you currently negotiating with universities who have high numbers of DC TAG students attending to receive a lower rate on tuition.

Mayor WILLIAMS. We are considering that as a possibility, because there are some universities with a number of our students. Basic business practice is you would want a volume discount of some sort. It just makes sense.

Senator VOINOVICH. Thank you. Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman. I didn't give my full statement. I would like to have my full statement entered into the record.

Senator VOINOVICH. Without objection.

[The prepared statement of Senator Akaka follows:]

PREPARED STATEMENT OF SENATOR AKAKA

Thank you, Mr. Chairman, for convening this hearing to review legislation affecting the District of Columbia. It is this Subcommittee's responsibility to oversee the management of DC without intruding on its right to self-govern, commonly referred to as DC home rule.

I am proud to be a cosponsor of S. 2060, which reauthorizes the District of Columbia Tuition Assistance Grants program (DC TAG). As a Federal city, DC does not have a state university system, such as the University of Hawaii system which has 10 campuses and educates over 50,000 students every year. To fill this need, DC TAG provides funding for DC residents to attend colleges and universities across the country.

DC TAG has increased college enrollment in the District by 35 percent since 2000. As a former educator, I firmly believe all Americans should have access to a college education, and I'm pleased to support a bill which helps make that happen.

Another piece of legislation before us today is the Federal and District of Columbia Government Real Property Act, S. 1838, which will transfer public land between the District of Columbia and the Federal Government. I support the Administration's effort to alleviate a portion of the structural imbalance—a term used to describe the difference between the cost of providing basic public services in DC and the District's tax revenue—which the Government Accountability Office estimates is between \$470 million and \$1.1 billion, and at the same time better utilize land in the District.

However, I do have some concerns about the lack of accountability in the bill as it is currently drafted. I am working with the Chairman to add provisions to S. 1838 that will enable Congress to oversee the District's use of the land. I thank the Chairman for his cooperation on this issue.

I look forward to discussing this legislation today and I welcome our witnesses to the Subcommittee. Thank you, Mr. Chairman.

Senator AKAKA. Mr. Chairman, I have been concerned about some aspects of the Real Property Act, but I also support parts of the bill as well. In particular, I support the Administration's effort

to alleviate a portion of structural, what we call the structural imbalance, which GAO estimates is between \$470 million and \$1.1 billion and at the same time better utilize land in the District. However, and this has been evident in the discussion here, I do have some concerns about the lack of accountability in the bill as it is currently drafted. I am working with the Chairman to add provisions to S. 1838 that will enable Congress to oversee the District's use of the land, and I thank the Chairman for his cooperation on this issue.

Mayor Williams, Chairman Voinovich and I are working on adding accountability provisions to the Real Property Act to ensure that the land is utilized effectively. Mayor Williams, what are your thoughts on additional language to hold the District accountable for carrying out its development plans?

Mayor WILLIAMS. Well, Senator Akaka, I recognize that the Congress would want to maintain some oversight in the out years in the implementation of the land transfer. While I couldn't and wouldn't support the transfer being conditional, I would support as an accountability measure periodic reports by the District to Congress on the implementation of the Act and the accomplishment of certain agreed-upon outcome measures.

Senator AKAKA. Thank you. I would like to ask you to provide for the record any suggestions for language increasing the accountability of the District to Congress in ensuring that District follows through with its land development proposals in a timely manner.

Mayor WILLIAMS. I will do that, Senator, and I would work with Congresswoman Eleanor Holmes Norton, who I understand has joined us, in those agreed-upon measures and timetables.

Senator AKAKA. Thank you. I would appreciate that.

Mayor Williams, previous DC development projects have been slow to get off the ground or have stalled completely. How will you ensure that the land you receive from the Federal Government in the Real Property Act will be utilized effectively and efficiently?

Mayor WILLIAMS. I think a couple of things, Senator. I think there have been some cases where some land economic development initiatives have slowed or stalled. There are cases like that in every city and there certainly are cases like that in the District, but I have made it a point in my administration over the last 7 years to create a client for investment in the District. We have seen some \$40 million of investment in the District, one of the strongest if not the strongest office economy in the Nation, a strong retail economy. I think this investment has flown into the District because we have shown the ability to expedite a process in a public-private partnership to see that business goals are realized, and that is the same commitment and diligence that we would bring to the implementation of the land transfer. That is number one.

Number two, we have worked with the Administration, with the Congress, with the cabinet agencies, community organizations, a multi-party partnership on the Anacostia Waterfront Initiative. Precisely so, we have laid the ground work to actually get the work done. A lot of the preliminary work in terms of collaboration, consultation, vision, development has already been done. So we are ready to hit the ground running now with the enactment of this bill.

So those are two things I would say to that, Senator.

Senator AKAKA. Mayor Williams, I know my staff has received plans from the Anacostia Waterfront Corporation that provide a greater level of detail than is provided in your testimony of how the District intends to utilize that transferred land. So I would like to request that those plans be submitted for the record.

Mayor WILLIAMS. Yes, sir. We can submit all that material for the record and will do so.

Senator AKAKA. Thank you. Mr. Mayor, you are retiring at the end of this year. What steps have you taken or will take to ensure the development plans that you just told us about will transcend administrations?

Mayor WILLIAMS. Well, contrary to some opinion, Senator, the overwhelming majority of the legislation that I have submitted to the District Council has been approved. I will give you another statistic. The Federal funding in categorical terms for the District is at its greatest level since the expiration of the Federal payment, and I think that is because I have been able to build partnerships with Congress and the District Council, to put in place a firm climate for investment in the District.

One example of this is executing and implementing the National Capital Revitalization Corporation; which is responsible for neighborhood development in the District; the Downtown Partnership that was responsible kicking in and getting started the Downtown Partnership in the District; and, last, working with Congresswoman Norton and, again, a cast of literally hundreds of people to establish the Anacostia Waterfront Initiative. I try to do this on a bipartisan basis. For example, the chairman of Anacostia Waterfront Corporation is a former Mayor of Indianapolis, Steve Goldsmith. I think he is still a Republican. I am never sure. He is the chairman of it. I have a number of District leaders, downtown as well as neighborhood, on the initiative. The initiative's ground work and enabling legislation has been endorsed by the Council and implicitly by the President in yearly appropriations, and so I think there has been tremendous work done to see to it that the vision that we will submit to you is as part of the record can be realized according to specific timetables that we can share with you working with the Congresswoman.

Senator AKAKA. Thank you so much, Mr. Mayor for your responses. My time has expired.

Mayor WILLIAMS. Thank you, Senator, for support of the District.

Senator VOINOVICH. Mr. Hoffman, listening to your testimony, there were a series of amendments you discussed. Have all of those amendments been vetted with the District, and is there consensus on all of them, or is there a difference of opinion?

Mr. HOFFMAN. My understanding, Mr. Chairman, is that we are in agreement on all of those amendments unless the Mayor—I think we are all in agreement with those. If I could add to the Mayor's answer to Senator Akaka's question, the Act does refer to the greatest extent practicable, the plan is consistent with the Anacostia Waterfront Framework plan, and I believe that provides a good basis for accountability. The Anacostia Waterfront framework plan was a huge public planning effort, thousands of people involved, as the Mayor has articulated, but it was also subsequently

backed up with a memorandum of agreement signed by 20 different DC and Federal agencies.

So you have a very well-grounded, well-supported plan that is in place that provides the protocol and the guidance for implementation of this Act once passed.

Senator VOINOVICH. I can assure you that I will ask those who are responsible to come back to the Subcommittee to update us on the progress of the land development. As I mentioned, I visited the land being transferred and the headquarters for the Anacostia Waterfront Corporation. I was very impressed with what they have planned. So often the question is whether you are going to get the investors to see the land developed. I was also pleased to see that there was a sensitivity to the people who live in the neighborhood, which I think is very important.

Along that line, we received a letter, Mayor, from D.C. Councilman Vincent Grey who represents the neighborhood where the RFK property is located. It is our understanding that the preference for the use of this land is for a public boarding school, specifically the Seed Charter School. Mr. Grey indicates that his constituents disapprove of this land being used for a boarding school. Has the District had any public hearings on the use of this land and has the District decided the boarding school is going to be built there, or is that still something that is open to negotiation?

Mayor WILLIAMS. I think that Councilman Grey does a good job, but I think the letter was premature. It is too early and premature to really conclude that the neighbors, and the citizens in the area adjoining that parcel, feel one way or the other. I could bring you just as many people who are strongly supportive of what the Seed School is trying to accomplish. I am very strongly supportive of the Seed School, but we are still in a negotiating period with the neighborhood, and so I think that letter is premature.

Senator VOINOVICH. So you are still negotiating?

Mayor WILLIAMS. Yes, sir.

Senator VOINOVICH. Mayor, in your testimony, there wasn't anything in here about H.R. 3508. Are there any provisions that you would like to highlight? Are there any provisions that you have concerns about? In your written testimony you focused on several amendments you would like to have added to H.R. 3508. How important are these amendments and why weren't they included in the House bill?

Mayor WILLIAMS. I can get back to you on why they weren't included in the House bill. I am not exactly sure why. I don't really have any particularly strong reservations or qualifications to the omnibus bill, which is why I really focused my testimony on the land transfer and the College Access Act.

Senator VOINOVICH. You did focus on several amendments that you would like added to the bill. How important are they, and if we didn't get the cooperation of the House, and they indicate that they aren't going to be supportive of them, what would you say then?

Mayor WILLIAMS. Well, for example, there is an amendment to Section 123. Section 123 would facilitate private sector gifts of money and tangible property to the District's public library system. The amendment which was adopted by the District's Council would

amend congressional language contained in the Appropriations Act of 2003, which constrains the ability to give gifts to any District Government Agency except the Mayor, Council, public schools, and the courts. This would allow us to pursue direct-giving to the libraries. For example, last year 21 computers were donated to the library system by Friends of the Cleveland Park Library. Many months later, did each library branch actually receive a computer? Well, current law requires a circuitous process for review and acceptance of these kinds of gifts. In a situation where I have put together a comprehensive library task force, where I have consulted with the First Lady on our library task force and where the President's budget includes a major gift to our library system predicated on a public-private partnership, this amendment is absolutely essential. It is very important to allow that giving directly to the libraries.

To give you an example, Mr. Chairman, what I am really trying to do is really mimic the partnership that you see between private giving and the CAP program—incidentally, Angelica Rodriguez, who is the director of that program is here. I want to recognize her—and the DC TAG program, private giving and the public contribution to the library system. So the amendment to Section 123 is important.

Amendment to Section 303, there is a need to amend Section 303 of the Omnibus Authorization Act in order to address a problem affecting the Civil Service Retirement System (CSRS). Annuitants who are re-employed by the District under Title V, an annuitant who is re-employed is subject to a salary offset. The District Government found that re-employed CSRA annuitants were receiving disparate treatment based on whether their original employment with the District was before or after October 1, 1987. Those hired before are subject to a salary offset, and those hired after that date are not. So we want to stop this disparity. It is a classic example of where an arbitrary date can create a real disparity and we have an impact.

So those are the two amendments that I would focus and highlight on.

Senator VOINOVICH. My suggestion is that someone from your office sit down with Congressman Davis, because when we start moving this through the Subcommittee, I wouldn't want to end up with a problem that would cause this bill not to become law this year.

Mayor WILLIAMS. Yes, sir.

Senator VOINOVICH. Senator Akaka.

Senator AKAKA. Yes. Thank you very much, Mr. Chairman. Because it was mentioned, I want to acknowledge the presence of Congresswoman Norton in the room. Will you raise your hand?

Hi. How are you?

Senator VOINOVICH. I didn't even see her back there.

Senator AKAKA. I asked her to do so because I was looking and I haven't seen her. Now I know where you are.

Senator VOINOVICH. Usually, she is not hiding out.

Senator AKAKA. Thank you for coming to our hearing.

Mayor Williams, it is my understanding that DC wants to take responsibility for the environmental clean-up of the land trans-

ferred from the Federal Government. How will the District pay for the clean-up?

Mayor WILLIAMS. Senator, we believe that the value of the land to be transferred on a square foot basis is more than adequate to compensate the District for the cost of environmental remediation. As part of the overall negotiation with the Federal Government, this is something we were willing to accommodate.

Senator AKAKA. Will the District perform the clean-up itself or will the responsibility be passed to developers as a condition of purchasing the land?

Mayor WILLIAMS. I think, Senator, it would really be on a case-by-case basis. In some of the negotiations with the developers, the developers assume the responsibility. Even though it is the owner's responsibility, the developer, as an offset to the price paid, will take care of clean-up. In other cases, as part of land assembly and site preparation, the District would do it. So it would be difficult for me to say on an across-the-board basis that we would do it one way or the other.

Senator AKAKA. I asked that because I am concerned that a private developer may not have the best interest of DC residents at heart. Can you tell me how you will oversee the developers to ensure the land is properly decontaminated?

Mayor WILLIAMS. Yes, sir. We are working on a bipartisan basis. I put in place a Mayor's Environmental Council. Jim Condit, as the President's environmental advisor, for example, is on the Council, along with the former chairman on the other side of the aisle was Former Secretary of Interior Bruce Babbitt. So they advised me on the regeneration improvement of the District's environmental policies and affairs. One of the things we have done is to create an environmental department analogous to a State Department of the Environment.

One of the things we wanted to do was to standardize and improve the execution and oversight of environmental remediation. So we now have in place an infrastructure to ensure that, in cases such as this, the environmental remediation will be successfully accomplished.

Senator AKAKA. Mayor Williams, I have mentioned that the DC TAG program has had management problems tracking whether grant recipients graduate from college and what they do and what they go on to do after college. Such tracking is a basic tenet of good grant management. Has a system been put in place to track the participants of the DC TAG program so that the benefits of this program can be better quantified?

Mayor WILLIAMS. Yes. I understand from the director that we are working with a national clearing house to track our students as a cohort into their post-graduation years. I know that they are also working in conjunction with the U.S. Department of Education to ensure eligibility and to work in cooperation with the Federal Government to track the students who are entering the program as well.

Senator AKAKA. This hearing has been dedicated to education and economics. Mr. Mayor, will you please explain how you will ensure that the DC land that was received from the Federal Govern-

ment economically benefits all DC residents, specifically low-income residents?

Mayor WILLIAMS. Well, sir, the Anacostia Waterfront framework plan, which we are submitting as part of the record, as the Deputy Assistant Secretary was saying and as I refer to in my testimony, is a result of hundreds and hundreds of hours of effort involving literally hundreds of people, Congress, community people, and Federal agencies. One of the key components of the framework was to ensure that the benefits derived from regeneration of the river rebounded to the benefit of the adjoining neighborhoods. So they are contemplated in the framework with specific links between economic benefits on particular sites to housing, office, retail investments in the neighborhoods, between improvement in parkland along the river, to enjoyment of, and accessibility to, that parkland of neighborhoods along the river.

Senator AKAKA. Mr. Mayor, as the ranking member of the National Parks Subcommittee of the Energy Committee, I am concerned about the preservation of green space in the District. Could you please elaborate on how specifically the District intends to utilize the parkland set aside by the bill?

Mayor WILLIAMS. Again, Senator, as part of the framework plan, we would inherit parkland and work in conjunction with the National Park Service. We would use that parkland to address a couple of key concerns. One is to ensure that by the maintenance of this parkland, the economic development that we are pursuing on the river is sustainable development. Clearly, the relationship to the inherited area of parkland is consistent with other regeneration efforts on the river, and is a key part of that development. For example, there is restoration of wetlands that is underway on the river. Part of that is the responsibility of the Army Corps of Engineers. There is combined sewage overflow clean-up, a billion dollar effort that we have solicited Federal help for and still need additional Federal help, I will say by way of an advertisement, of over a billion dollars to clean up the river, to ensure as a key theme that we have linked the difficult parcels together into one overall park complex.

One thing that we worked with our Federal partners in doing, and the Department of the Interior and Environmental Protection Agency have been instrumental in this, is the beginning of a trail, a river walk that would link the entire river together on a level commensurate with what you see along the George Washington Parkway. If you look at a trail along the George Washington Parkway and you look at a trail along the river, they are really not comparable. You think you are in another world. We believe that every trail on an environmental basis ought to be first class in the District, and that would be a key component; and then, last, as mentioned earlier, to ensure that parkland is accessible to the residents that adjoin that parkland.

Two examples of some of the things that we are doing with the Federal Government and Congresswoman Norton, in rebuilding some of the Federal infrastructure, is going to allow some of the residents along the Anacostia Park greater access to the park. The assumption of responsibility for Poplar Point will allow residents

actual access to Poplar Point in a way they don't have access now. It is completely cut off by the usual roads, bridges, everything else.

So those are key themes: Linkage, accessibility, sustainability.

Senator AKAKA. I want to really thank you, Mr. Mayor, for your responses. They have been very helpful.

Mayor WILLIAMS. Thank you, sir.

Senator AKAKA. Mr. Chairman. I know my time has expired. May I ask just one more question to Mr. Hoffman?

Senator VOINOVICH. Sure.

Senator AKAKA. Mr. Hoffman, is the Department of Interior satisfied with the parkland preservation requirements in this bill?

Mr. HOFFMAN. Yes, sir, Senator Akaka, the Department of Interior is satisfied. I think many of these parcels of land, if you are to look at them, you would not think of them as national parks. You would not even think of them as parks. They have been used historically for other purposes over the years.

The National Park Service within the District of Columbia fulfills a role very similar to the Bureau of Land Management in the west. Many of these lands are administered by the National Park Service, but they are not part of the national park system. So we do not look at this as trading out national parklands. It is a transfer of the administration, conveyance by deed in some cases, but where there is conveyance by deed, well, the school location by RFK is open space only that there isn't a building on it.

The Poplar Point would have a deed requiring 70 of the 100 acres to be retained as open space parkland and much of the land to be developed actually is being gained by the realignment of the bridge. So it does not constitute a loss of open space, and, in fact, for the National Park Service, the transfer back of jurisdiction of the platted roads that were never constructed enables us to block and manage contiguous units in a more park-like fashion to the benefit of the citizens of the District.

Senator AKAKA. Thank you.

Thank you very much, Mr. Chairman.

Senator VOINOVICH. Thank you, Senator Akaka.

This is a question for Mayor Williams and Mr. Hoffman: In S. 1838, there is a requirement for the District to relocate and replace the existing National Park Service facility that is located on Poplar Point before the District can develop the land. Has the District and the Park Service begun this discussion in regards to that facility? Mr. Hoffman, in your testimony, you mentioned concerns with the current language in the bill. Could you be more specific about concerns and that of the Park Service in regard to the facility?

Mr. HOFFMAN. We have had preliminary discussions, but the goal in negotiating this package has been not to inappropriately tie the hands or reduce the flexibility of the City in pursuing options for the rereplacement of those facilities. The facilities are specifically the U.S. Park Police headquarters, and they have needs, but those needs are not necessarily tied to that specific location, and the city has, obviously, options for providing a replacement facility and location, and we don't want to unnecessarily tie the hands of either side in that. We want to make it very clear that the Secretary shall be able to approve the new facility and that it would be transferred to the U.S. Government at no cost to the Depart-

ment of the Interior, and, of course, at no cost means without a mortgage; and those are basically the clarifying amendments, and we want to make sure that we have good communication and that we fully understand the ground rules by which those replacement facilities will be provided back to the U.S. Government.

Senator VOINOVICH. Would these be new facilities or renovated facilities?

Mr. HOFFMAN. As yet to be determined. They would be facilities that would be determined by the Secretary of the Interior to be appropriate replacement facilities. If that is renovated or new, we don't want to prejudge that.

Senator VOINOVICH. Mayor, do you have any comment?

Mayor WILLIAMS. We have had preliminary discussions with the department. I am sure we can come into agreement with something that is comparable with what they have over there now. We clearly want something a little bit better than what they have now over there. I would agree with Mr. Hoffman. We are not talking about pristine areas right now. They are really just land-banked areas where if you walked onto the site, you really wouldn't think of it is as a park.

Senator VOINOVICH. The point is that, is it a condition precedent to move forward with the Poplar Point that this be resolved now, the issue of the facility?

Mr. HOFFMAN. We don't believe it is necessary to resolve it at this time.

Senator VOINOVICH. I asked this question because we have had an Army Reserve facility in Ohio that we have been trying to move since I was governor, and it has never happened.

Mr. HOFFMAN. The incentive is with the District. If they want to pursue their Anacostia Waterfront Framework Plan, then they will want to move forward with the redevelopment of the Poplar Point land, and that will fund the replacement facilities as well as the environmental clean-up. So the incentive is all with the District to do that, and the bill provides that the U.S. Park Police can remain at the existing facilities at no cost until such replacement facilities are provided.

So there is no harm to the Federal Government in this.

Mayor WILLIAMS. I would agree with the Secretary. There is an enormous incentive for us to move, because, for example, working with the Congresswoman, Congress realigning, rebuilding the Douglas Bridge, re-thinking and envisioning South Capitol Street, the baseball stadium will be on that site, so to do all of that and then just everyone looking at us and saying what is happening with Poplar Point and then 3 years down the road, we are saying we still haven't moved the maintenance site, I mean, that is pretty embarrassing. So I think you are going to have a very powerful incentive to move on that and get it done.

Senator VOINOVICH. I always talk about doing the doable. Poplar Point looks to me like it is doable. I have been down to see the area. Poplar Point seems to me something that could be developed pretty fast. So the incentive would be to try and work that out as soon as possible.

Senator do you have any other questions?

Senator AKAKA. No other questions.

Senator VOINOVICH. Again, I would like to thank you for your testimony here today, and we look forward to seeing the development.

Mayor, you will be watching it, I am sure, from some other perspective.

The hearing is adjourned.

[Whereupon, at 11:25 a.m., the Subcommittee was adjourned.]

A P P E N D I X

Government of the District of Columbia



Testimony of
Anthony A. Williams
Mayor, District of Columbia

*“Enhancing Educational and Economic
Opportunity in the District of Columbia”*

United States Senate
Committee on Homeland Security and Governmental Affairs
Subcommittee on Oversight of Government Management,
the Federal Workforce, and the District of Columbia

February 28, 2006, 10:00 a.m.
Room 342
Dirksen Senate Office Building

Good morning. Chairman Voinovich, Ranking Member Akaka, and other distinguished members of this committee, I would like to thank you for this opportunity to testify before you on Enhancing Educational and Economic Opportunity in the District of Columbia. Thank you for this opportunity to testify to three bills currently under consideration by the U.S. Senate, the Federal and District of Columbia Real Property Act of 2005, the extension of the District of Columbia's College Access Act, and the 2005 District of Columbia Omnibus Authorization Act.

As I approach the end of my time as Mayor of this great city, I am proud of what we have accomplished the past seven years and I look forward to continue to serve this city well for the remainder of my term. These bills will have a profound impact on the District of Columbia over the long term and I thank you for your support for these initiatives as well as your commitment to the improvement of the District of Columbia for the people that live, work and visit the nation's capital.

I will limit my oral remarks to the real property act and the tuition assistance grant program and ask that my full testimony on all three pieces of legislation be submitted for the record.

Federal and District of Columbia Real Property Act of 2005

The Federal and District of Columbia Real Property Act of 2005 would result in an exchange of more than forty parcels of land totaling more than 220 acres between the District of Columbia and the federal government. I would like to enthusiastically thank the Office of Management and Budget, the National Park Service, and the General Services Administration for working closely with my administration to develop this complex initiative. This legislation represents a significant step I believed we took a significant step forward toward stewardship of the land in the District of Columbia. Ultimately, it will help us build world class parks along the Anacostia Waterfront that support and provide amenities to the communities adjacent to the Anacostia River in line with the wishes and interests of citizens here in the District.

I believe that this legislation will allow the District of Columbia to fulfill the proud legacy of planning that was inherent in L'Enfant's original plan for the District of Columbia. Despite the evolution of our city as a small federal enclave to the center of one of the nation's most dynamic regions over the past 200 years, many parcels within our borders remain underutilized and opportunities that have the potential to expose the greatness of our city are unrealized. The Real Property Act of 2005 is a step toward addressing the unfinished business of the City in the way that will allow property to be used more efficiently and in the service of the federal government's mutual interest and the citizens of the District of Columbia.

I also believe that this legislation will promote economic development within the city and make the District more vibrant and prosperous not only with the city boundaries, but also the entire region. The seat of the Federal Government should be located in a healthy, vibrant city for the benefit of its employees, local citizens, foreign visitors and all Americans who visit. I strongly believe in moving forward on this legislation because the Anacostia River and surrounding neighborhoods represents the future of the District of Columbia. The Anacostia Waterfront Initiative is a very important piece of my plan to move the City of Washington D.C. forward. It

will allow this generation of Washingtonians to leave to the next generation the quality of amenities, public space, and services that other parts of our city enjoy.

Specifically, the 2005 Federal and District of Columbia Real Property Act would:

- Transfer ownership of two key parcels of land along the Anacostia River—Reservation 13 and Popular Point – in order to achieve the Urban development and environmental restoration goals outlined in The Anacostia Waterfront Framework Plan. By transferring these parcels, the District will be able to significantly enhance access to the river and its parkland and become a destination attraction for tourist residents, leading to economic stimulation and development.
- Transfer several small parcel of land in the vicinity of the Anacostia River. Many of these parcels such Reservation 17A along New Jersey Avenue SE, are already under the District's Administrative Jurisdiction and will be components of ongoing neighborhood redevelopment action.

Overall open space in the space in the District will improve under the District of Columbia Government Real Property Act of 2005 by renovating existing parkland to create more accessible green space. For example, conveyance of Poplar Point under the Real Property Act will grant residents and visitors easy access to the site, which is hemmed in by roadways, making it practically inaccessible and suffers environmental contamination.

Conveying title to federal property to the District would not harm the federal government, since virtually all of it has no federal activity. For example, Reservation 13 hasn't been used by the federal government in 157 years, whereas if the city had title to the property, it could implement a plan to create a vibrant, mixed income community that help the city's long term financial outlook by adding more business and residents to the city's tax base.

There would be an economic benefit to the federal government also. Transferring property to the District will provide more contiguous park preservation. The National Park Service can eliminate that cost of maintaining or resolving environmental problems on remote or isolated parcels, some of which are surrounded by city property. The funds used to maintain or account for National Park Service land in this bill can be used to improve priority projects for the Park Service.

The Real Property Act of 2005 will provide a second economic benefit to the federal government by resolving million of dollars of litigation claims brought by the District against the federal government. These claims are the cause of legal action against the federal government for the failure to reimburse the District for costs associated with St. Elizabeths Hospital and are still being considered by the courts.

Finally, I would like to emphasize that this Act will provide the Anacostia Waterfront Corporation with the tools it needs to proceed on implementation plans for the Anacostia Waterfront Initiative. This Initiative reflects a careful balance of commerce, residences, recreation spaces and public amenities that would benefit our residents and visitors to the nation capitol would diminish, as well as economic benefit to the District. I believe that this Act is the

best approach to achieve our goal to ensure that the District of Columbia is a national gem for all that live, work and visit here and I wholeheartedly urge you to support this bill and assist us to achieve this goal for long-term development of our nation's capital.

Extending the District of Columbia College Access Act

The District of Columbia's Tuition Assistance Program (DCTAG) has been a tremendous success since its inception in school year 2000/2001. For the most recent school year, 2004/2005, 4,754 students received funding from the TAG program. Recognizing the success of the program, the President requested and Congress approved \$33.2 million to continue this program in FY 2006. By continued support for this successful college access program, the Administration certainly understands the importance and value it has brought to the young college bound residents of the District of Columbia that possibly would not have an opportunity to attend a four year institution without this successful program.

The Tuition Assistance Grant Program is a marquee federal initiative that was established by Congress in the 1999 District of Columbia College Access Act and has been and continues to be a tremendous success. This Program compensates the District for our lack of state university system that the entire country enjoys by allowing our high school college bound students to attend out-of-state public universities at in-state tuition rates and providing them grants for attending selected private universities. Unfortunately, program costs have continued to grow rapidly due to rising tuition costs nationwide and rising program participation.

TAG currently provides grants up to \$10,000 annually for undergraduate District students to attend eligible four year public universities and colleges nationwide at in state tuition rates. It provides grants up to \$2,500 for students to attend a private institution in the D.C. metropolitan area and private historic black colleges and universities as well as public 2 year community colleges. . In 2005, our students were enrolled in universities and colleges in 45 states across the country, the District of Columbia and the U.S. Virgin Islands.

The Tuition Assistance Program has had many successes. In June, 2004, the program graduated its first class. The second class graduated June of last year. For 75 percent of the students surveyed at Woodson High School in the District, TAG affected their decision to pursue post-secondary education and 65 percent have said that the program has affected their school choice. Also gratifying to me is that 55 percent of participants are the first members of their immediate family to attend college.

The District is asking that the federal government fund the TAG program at a level sufficient to provide grants for all projected eligible applicants which will require \$35.1 million in FY 2007. Without assistance, the District will have to cut back on services and increase eligibility requirements in 2007. Program costs are driven by several factors:

The 2004/2005 academic year marked the first year that the program has carried a full five cohorts. In addition, the total amount of students steadily increased in each year of the program from 1,948 in 2000-2001 to 5,046 in 2005-2006.

The average DCTAG costs are also rising. According to data from the College Board, for the 2004/2005 academic year, tuition costs at four-year institutions are up 10.5 percent nationally over the prior year which is in addition to the increase of 14 percent in 2003/2004. The growth in tuition costs impacts directly on the DCTAG program.

Every year since the program inception, the federal government has provided sufficient funding to pay for all eligible participants and all eligible services. This year, unless additional funds are appropriated beyond the \$33.2 million appropriated in the FY 2006 budget, the District will have to cut back on services and eligibility.

If the District costs exceed available federal funds, several options available to me as Mayor are to make a pro-rata cut in each participant's grant award, restrict the number of participating colleges and universities, or to make the program needs-based. All such options are very unattractive.

One option will impact people who have begun college or a university under one agreement only to face an unexpected cost increase in the next. The other option would drastically alter the nature of the program and reduce its ability to attract and retain middle class families in the city.

I have heard from many parents and students, and they are concerned about the impact to the DCTAG program if proposed legislation is enacted to cap the program that would hinder our students' pursuit of higher education goals. Thanks to the past support of Congress, the DCTAG program has been tremendously supportive successful in its inception, resulting in a 35 percent increase of students attending college. Many of our students are first generation college students attempting to improve the financial disadvantages they have known throughout their lives. I urge Congress to reauthorize the District of Columbia Tuition Assistance Grant program and continue to support the educational opportunities that this program is making available.

The 2005 District of Columbia Omnibus Authorization Act

Lastly, I would like to speak about the 2005 District of Columbia Omnibus Authorization Act. This Act contains a series of amendments and miscellaneous provisions that may be too small to merit individual consideration by the Congress, but are nonetheless very important to the operations and legal basis for administering the District of Columbia.

The Act before you would make permanent the independent role of the Chief Financial Officer in the District of Columbia; it would provide the District with the flexibility to spend additional revenue certified during the fiscal year outside the federal appropriations process; and it would provide the District to allocate enter into interstate insurance compacts. In addition, the legislation would replicate many of the miscellaneous provisions that appear as riders to the District's appropriations act in order to ensure that these provisions are enacted by the authorization committees, rather than the appropriation committees.

I would like to devote the balance of my testimony to several proposed amendments:

Change to District of Columbia Public Schools Fiscal Year

Recent legislated change in the District of Columbia Public Schools (DCPS) fiscal year to a different year end than that of the rest of the District of Columbia government may prevent the District's financial statement and the Comprehensive Annual Financial Report (CAFR) from being in compliance with general accepted accounting principles (GAAP) from being in compliance with the United States Government's generally accepted accounting principles (GAAP). As a result, we have been informed that the audit report for fiscal year 2007 would contain a qualification based on a departure from GAAP and the Governmental Accounting Standards Board (GASB) requirements.

Effective for fiscal year 2007, Public Law No. 108-386, the 2004 District of Columbia Authorization Act, passed by Congress in October 30, 2004, changes fiscal year for DCPS from October 1 through September 30 (the fiscal year for the general fund) to July 1 through June 30. Apart from the practical benefit of having a fiscal year consistent with the academic school year, there are potentially serious accounting and financial consequences arising from the change made to the DCPS fiscal year.

Current language in the law reads as follows: "Effective with respect to fiscal year 2007 and each succeeding fiscal year, the fiscal year for the District of Columbia Public Schools, including public charter schools, and the University of the District of Columbia shall begin on the first day of July and end on the thirteenth day of June of each calendar year."

The District requires more time to establish procedures for changing the fiscal year for our schools. Estimated cost to the District for implementing this change, once procedures are established is \$15 million for software changes. In addition, United States Government accounting standards do not recognize an entity with two different fiscal years. Specifically, the District of Columbia Schools is part of the District Government. If the fiscal year changes for DCPS, but not for the District, the District would not receive a clean audit report since the existence of two separate fiscal years with the District of Columbia would be reported separately. Therefore, we would request language that allows the District to implement this change when appropriate, rather than mandate an implementation timeframe.

Allow the D.C Public Libraries to Accept Gifts

I would also like to speak to you regarding language in the in the District Government's FY 2006 Budget Request Act which has been omitted from the D.C. Omnibus Authorization Act as approved by the House of Representatives. Specifically, Section 123 would facilitate private sector gifts of money and tangible property to the District's public library system. The amendment, which was adopted by the District's Council, would amend Congressional language contained in the Appropriations Act of 2003 which constrains the ability to give gifts to any District government agency except the Mayor, Council, public school and the courts. The amendment would enable the District government to establish a process for direct giving to libraries.

This language will allow the library system greater flexibility to implement my Blue Ribbon Task Force on Libraries, which has received financial support from the current administration and civic leaders across the District.

Re-employed Annuitants

Finally, there is a need to amend Section 303 of the 2005 DC Omnibus Authorization Act (Title V) in order to address the problem affecting Civil Service Retirement System (CSRS) annuitants who are reemployed by the District of Columbia. Under Title V, an annuitant who is reemployed is subject to a salary offset. The District government found that reemployed CSRS annuitants were receiving disparate treatment based on whether their original employment with the District Government was before or after October 1, 1987 are subject to the salary offset and those hired after that date or not. Therefore, the District enacted D.C. Law 15-207 to correct this disparity.

Prior to Home Rule, District employees were considered Federal Government employees and covered by Title V of the U.S. Code. After Home Rule, this provision was included in the District's annual appropriation to clarify that Title V no longer applied to District employees. The Office of Personnel Management (OPM) reviewed the law and found that it is not legally binding. OPM has recommended that the District seek an amendment that to provide an explicit exemption from this provision. This exemption would enhance the District's ability to attract and retained experienced and skilled federal annuitants who may not otherwise work for the District.

Conclusion

I would like to thank you for the opportunity to testify today on these three bills. I thank you again for your leadership and support for me as Mayor and for the District as a whole. I ask that my full statement be entered into the record and I would be pleased to answer any questions you may have.

United States Department of Education

**Statement by
Sally L. Stroup, Assistant Secretary for Postsecondary
Education
before the Committee on Homeland Security and
Governmental Affairs,
Subcommittee on Oversight of Government Management, the
Federal Workforce and the District of Columbia
on
the District of Columbia Tuition Assistance Grant program**

February 28, 2006

Mr. Chairman and members of the Committee, thank you for the opportunity to discuss the District of Columbia Tuition Assistance Grant program.

The Administration shares Mayor Williams' goal of bettering the lives of the residents of the District of Columbia through improved educational opportunities and we appreciate his efforts on behalf of elementary, secondary and postsecondary students.

Mr. Chairman, the Administration supports reauthorization of the District of Columbia College Access Act of 1999. This act established the Tuition Assistance Grant (TAG) program in order to provide eligible college bound students living in the District of Columbia with greater choices among institutions of higher education. The program provides undergraduate District students up to \$10,000 annually to attend eligible four-year public universities and colleges nationwide at in-state tuition rates. It also provides

up to \$2,500 to attend private institutions in the D.C. metropolitan area and private Historically Black Colleges and Universities nationwide or public two-year community colleges.

The District of Columbia has been managing the TAG program since its inception and they have worked hard to administer the program on behalf of the students residing here in the District. As with any new program, it takes time to work through the details of implementation and execution, but the increasing numbers of students who are benefiting from this program each year is evidence that the program is working.

For school year 2004-2005, more than 4,700 students enrolled in the program and are attending colleges in 45 states, the District of Columbia and the U.S. Virgin Islands. More than 600 colleges across the country have signed agreements with the District to participate in this program. And I can tell you that dealing with hundreds of colleges with their own rules and procedures is never an easy task so the District is to be commended.

Although these are impressive statistics, it does not fully demonstrate the success of the program. In a recent survey of Woodson High School students, approximately 75 percent stated that TAG affected their decision to pursue post-secondary education and 65 percent responded that the program affected their school choice. One of the most compelling reasons to continue the TAG program, in my opinion, is that 55 percent of the participants are the first members of their immediate families to attend college.

The Administration's FY 2007 Budget requests \$35.1 million for the TAG program, an increase of \$1.9 million over 2006, which is needed to keep pace with rising tuition costs and increased student participation. As you know, 90 percent of the fastest growing jobs in this country require some postsecondary education and we want students living here in the district to have an opportunity to pursue the education that will help them get one of those jobs. This program, in addition to the \$80 billion the federal government will make available to our nation's college students this year will help all of our students pursue their dreams of a college education.

Mr. Chairman, this completes my testimony. I would be pleased to answer any questions you or other members of the Committee may have.

**STATEMENT OF PAUL HOFFMAN, DEPUTY ASSISTANT SECRETARY FOR
FISH AND WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR,
BEFORE THE SENATE SUBCOMMITTEE ON OVERSIGHT OF
GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE
DISTRICT OF COLUMBIA ON S. 1838, THE FEDERAL AND DISTRICT OF
COLUMBIA GOVERNMENT REAL PROPERTY ACT OF 2005**

FEBRUARY 28, 2006

Mr. Chairman, thank you for the opportunity to present the views of the Department of Interior on S. 1838, the Federal and District of Columbia Government Real Property Act of 2005. The bill would facilitate the utilization, development, and redevelopment of property in the District of Columbia.

The Department strongly supports S. 1838 with clarifying amendments described later in this testimony. This legislation, based on an Administration proposal developed with the District of Columbia and submitted to Congress on July 15, 2005, would provide for conveyance by the United States to the District of three larger properties - Poplar Point, Reservation 13, and several acres of National Park Service (NPS) land near Robert F. Kennedy Stadium – along with several smaller properties, including a number of triangle reservations. The proposal also would provide for the conveyance to the United States by the District of several buildings and the underlying real property located on the West Campus of St. Elizabeth's Hospital, along with several smaller properties. A copy of the maps of the properties identified in S. 1838 is available at www.nps.gov/ncro/dclandslegislation.

The provisions in S. 1838 recognize the Federal government's special relationship with the District, which begins with its constitutional authority to "exercise exclusive Legislation...over such District...as may become the Seat of the Government of the United States." The decision in the early 1790s to establish the capital at the confluence of the Potomac and Anacostia Rivers meant that the city that became Washington, D.C., started out as a relatively undeveloped area, in contrast to, for example, New York or Philadelphia. The Federal government initially retained ownership of significant portions of the District. Over the past 200 years, even as the Federal government grew, some Federal parcels have remained underutilized for Federal purposes throughout the District on which non-Federal functions are or could be carried out. The Federal government continues to have a unique relationship with the District that underlies S. 1838.

The Administration believes that the properties to be conveyed to the District in S. 1838 are not currently providing substantial value to the Federal government. Some of the properties, in fact, are an unnecessary burden, and all could be better utilized if conveyed to the District. Moreover, the conveyance of several of the properties to the District in S. 1838 is the culmination of a multi-year, multi-entity public planning effort to revitalize the District as set forth in the Anacostia Waterfront Framework Plan.

The development of the Anacostia Waterfront Framework Plan began in March 2000. Under the leadership of District Mayor Anthony Williams, twenty Federal and District agencies, including the NPS, entered into a Memorandum of Agreement to create a shared vision for the Anacostia River Waterfront that would “contribute to the revitalization of the surrounding neighborhoods, provide enhanced park areas, develop Government-owned land for the benefit of the people of the District and the Federal and District Governments, where appropriate, increase access to the water, where appropriate, and enhance visitor participation in the activities and opportunities provided along the new waterfront.” The result of a nearly 4-year planning process, which included public outreach and participation, was adoption of the Anacostia Waterfront Framework Plan in December 2003. To implement that Plan, the District established the Anacostia Waterfront Corporation (Corporation), which is responsible for the redevelopment of the Anacostia and Southwest Waterfronts. The Corporation has all the authorities of municipal redevelopment corporations. The plan can be found on the web at www.planning.dc.gov/planning/cwp.

This testimony addresses Titles II and III of S. 1838, which concern lands administered by the NPS and under this Subcommittee’s jurisdiction. Under these two titles, approximately 140 acres would be transferred to or conveyed to the District and approximately 15 acres either would be transferred to the NPS or conveyed to the United States for administration by the NPS. The bill contains several groups of properties - those involving transfers of administrative jurisdiction and those conveying title. The reason for the different categories is that the District can have administrative jurisdiction over property owned by the United States and, alternatively, can hold title to the property. As a title holder, the District can sell or redevelop the property in a manner that might not be permitted for property titled to the United States. Depending on the District’s plans for a particular parcel, S. 1838 would provide for a transfer of administrative jurisdiction or a title conveyance, as appropriate. A list of descriptions of each of these properties is attached to this testimony.

Title II of S. 1838 authorizes the transfer or conveyance of some smaller parcels between the NPS and the District. The long and varied history of the District has produced a patchwork pattern of property ownership, involving approximately 10-12 Federal land holding entities, the District, and the private sector. For many years, the NPS and the District have discussed making these transfers or conveyances as part of an effort to consolidate management of small parcels with larger adjacent parcels and to improve the overall efficiency of land management within the District of Columbia. This bill is an opportunity to efficiently accomplish this shared goal.

Section 201 would provide the transfer of administrative jurisdiction for certain parcels between the NPS and the District. These parcels do not involve a conveyance of title; title would remain in the United States, but administrative responsibility would shift. Section 201(a) would transfer administrative jurisdiction of 9 properties from the District to the Secretary of the Interior (Secretary) for administration by the NPS. Seven of the parcels consist of unbuilt street rights-of-way, and the purpose for the District’s present

administrative jurisdiction of an 8th parcel, U.S. Reservation 357, was to provide access to a mayoral residence formerly proposed to be built on a neighboring parcel. The streets were not established and the mayoral residence was not built at that location, and thus, the District no longer has a definitive use for these parcels. Furthermore, these properties abut or are located within larger tracts of NPS property and are presently managed as parkland. Thus, the transfer would allow for more efficient and consolidated management for both the NPS and the District.

The 9th property in this subsection consists of two parcels over I-395 at Washington Avenue, SW. The purpose of transferring administrative jurisdiction of the triangle parcel to the NPS would be to provide for the establishment of the American Veterans Disabled for Life Memorial (memorial) as well as the memorial's future management by the NPS. We have been working with the District of Columbia, the Architect of the Capitol and the memorial sponsor for five years on the design of this memorial. The memorial was authorized by Public Law 106-348 on October 24, 2000. Pursuant to the Commemorative Works Act (now 40 U.S.C. 8901 et. seq.), authority to establish the memorial expires if a construction permit has not been issued by October 24, 2007, and the NPS will not be in a position to issue a construction permit if the property is not administered by the NPS. The site at Washington Avenue was identified as the preferred site in the Alternative Site Selection study and was approved by the Commission of Fine Arts and by the National Capital Planning Commission in 2001. Its location furthers the intent of Congress as reflected in the 2003 amendments to the Commemorative Works Act that memorials be located in the fabric of the city and not on the National Mall. In 2004, both Commissions approved the concept design and requested minor modifications be considered as the concept is further developed.

The Architect of the Capitol and the Chief, U.S. Capitol Police, have raised some legitimate security concerns about the traffic patterns that could result from the construction of the memorial. We have met with members of their staff, responded to one of their requests by offering to delete the parcel south of C Street from consideration, and are working together on design refinements that will address security concerns. We are confident that we can reach an agreement that is satisfactory to all parties and that plans for the memorial can continue to move forward at this location. For this reason, we recommend deleting the parcel south of C street from consideration to accommodate the interests of the Architect of the Capitol and the Capitol Police, but to allow the triangle parcel to remain in the bill at this time.

Section 201(b) would transfer administrative jurisdiction of 7 parcels from the Secretary to the District. These small parcels abut other District property or affect some other interest of the District and thus would be better utilized by the District. In all cases, the District has indicated that administrative jurisdiction over these parcels, rather than conveyance of title, would accommodate the District's future plans for these sites.

Section 202 would involve the conveyance of title of two properties by the District to the United States for administration by the Secretary and the conveyance of six properties by the Secretary, on behalf of the United States, to the District. One of the properties to be

conveyed to the Secretary is comprised of former street rights-of-way that are now occupied by the Chesapeake and Ohio Canal National Historical Park, and the other property is a one-block long roadway that abuts parkland. The 6 properties to be conveyed to the District are underutilized by the Federal government and are properties important to the District's revitalization and development efforts. The District already has had administrative jurisdiction over 3 of these properties for many years; however, the revitalization and development plans for the properties require that the District, not the United States, hold title to the properties.

One of these six properties for which title is to be conveyed to the District is known as Boathouse Row, a narrow stretch of Anacostia Park on the west side of the Anacostia River at 11th Street, SE. It is currently occupied by the NPS, District Public Works facilities, U.S. Corps of Engineers facilities, District Water and Sewer Authority facilities, Anacostia Community Boathouse Association, Inc., Washington Yacht Club, District Yacht Club, Eastern Power Boat Club, Seafarers Boat Club and the Anacostia Marina. Conveyance of title for Boathouse Row to the District will allow the District to redevelop and enhance the boathouse facilities as well as to permit additional boathouses for use by high school crews. This revitalization is a component of the Anacostia Waterfront Framework Plan and cannot be achieved under NPS authorities.

Section 203 would convey title from the United States to the District of U.S. Reservation 174, a triangle parcel located on the former Convention Center site. This conveyance is contingent on the enactment by the District of a final development plan for the former Convention Center site (development plan). Section 203 would require that the development plan consider at least one alternative to set aside U.S. Reservation 174 as open space and generally requires that the development plan set aside a total of at least 1 ¼ acres for open space. The alternative to set aside U.S. Reservation 174 as open space is consistent with the restoration of the opposing triangle parks along New York Avenue, which were identified 214 years ago in the L'Enfant Plan, one of the key foundations in establishing the Nation's Capital and which is still considered today in planning decisions.

Section 203(b)(2), however, is ambiguous in describing the treatment of U.S. Reservation 174 as open space in at least one version of the development plan. We recommend amending this section to make clear that the development plan must contain an alternative to restore all of U.S. Reservation 174 as open space.

Section 204 would provide the District an opportunity to select a 15-acre parcel of NPS land located within a certain 30-acre area adjacent to the Robert F. Kennedy Stadium to be conveyed to the District for the purpose of siting an educational institution, with first preference given to a pre-collegiate public boarding school.

Title III of S. 1838 would direct the conveyance of title of Poplar Point from the United States to the District. Poplar Point is located on the east side of the Anacostia River and comprises approximately 100 acres of Anacostia Park. Approximately 65 of these acres is an area which contains the NPS headquarters for National Capital Parks-East and the

U.S. Park Police Anacostia Operations and Helicopter facilities. Approximately 35 acres are the sites of former tree nurseries of the District and the Architect of the Capitol.

Conveyance of title for Poplar Point would allow the District to revitalize the Anacostia Waterfront and is a key component of the Anacostia Framework Plan. The conveyance is contingent upon certification by the Secretary of a land use plan adopted by the District that meets certain conditions. S. 1838 would require that the land use plan be consistent with the Anacostia Waterfront Framework Plan to the extent practicable, identify existing facilities occupied by the NPS, provide replacement facilities to the NPS, provide that at least two sites be set aside for future commemorative works, reserve 70 acres of Poplar Point for park purposes, and provide standing to an individual or public entity to enforce the reservation. The bill also requires that the Director of the NPS certify the relocation plan for the NPS replacement facilities.

We do have some concerns about the language in Title III and would like to work with the Subcommittee on several clarifying amendments. First, with regard to the land use plan for Poplar Point, we suggest that several elements provided through the land use plan be provided directly for in the bill. For example, the bill would require that the land use plan identify not fewer than 70 acres for park purposes and provide individual or public entities with standing to enforce the requirement. We believe it would be clearer to instead condition the conveyance to this deed requirement, reserving this acreage for park purposes, and make standing to enforce this important requirement an explicit provision of the bill. We do not believe that a land use plan adopted by the District is the appropriate place to provide for legal standing. In addition, the bill does not provide a definition for "park purposes." We strongly suggest that the bill be amended to specify that park purposes be defined as "landscaped areas, pedestrian walkways, bicycle trails, seating, open-sided shelters, natural areas, recreational use areas, and memorial sites reserved for public use." Inclusion of the definition would further ensure that plans for the site are consistent with the Anacostia Waterfront Framework Plan.

Second, some ambiguity exists in the provisions that require the District to provide the NPS with facilities to replace the existing NPS buildings on Poplar Point. The most critical is in Section 303(a)(1), where we believe clarification is needed to ensure that the District conveys the replacement facilities at no cost to the NPS. This provision, along with the provisions requiring that the District take responsibility for the existing environmental conditions and transaction costs, is a key component to our support of the bill. We look forward to working with the Subcommittee to further clarify this provision.

The Federal government has a special interest in ensuring that the Nation's Capital provides a healthy, vibrant environment for its employees, citizens, and visitors from across the United States and the world. The Federal government has a unique relationship with the District and shares responsibility to ensure the Nation's Capital is one of the great cities of the world. S. 1838 advances this important Federal interest.

Mr. Chairman, this completes my testimony. I would be pleased to answer any questions you or other members of the Subcommittee may have.

The Federal and District Of Columbia Government Real Property Act Of 2005

The following properties are proposed for transfer or conveyance between the District of Columbia and the Secretary of the Interior for administration by the National Park Service.

TITLE II, SECTION 202 (a) – PROPERTIES TO BE TRANSFERRED FROM THE DISTRICT OF COLUMBIA TO THE SECRETARY

- (1) Unimproved portion of Audubon Terrace, NW: This is unimproved wooded property encumbered by an un-built street right-of-way within NPS parkland. The transfer would provide continuity of management by NPS.
- (2) Unimproved portion of Barnaby Street, NW: This is unimproved wooded property encumbered by an un-built street right-of-way within NPS parkland. The transfer would provide continuity of management by NPS.
- (3) Portions of Canal Street, SW and V Street, SW: This is unimproved property encumbered by an un-built street right-of-way which abuts NPS parkland. The transfer would facilitate implementation of approved plan to enhance existing NPS concession-operated marina.
- (4) Unimproved Streets and Alleys at Fort Circle Park: This is unimproved wooded property encumbered by several contiguous un-built street rights-of-way within NPS parkland. The transfer would provide continuity of management by NPS.
- (5) Unimproved portion of Western Avenue, NW: This is unimproved wooded property encumbered by an un-built street right-of-way within NPS parkland. The transfer would provide continuity of management by NPS.
- (6) Unimproved portion of 17th Street, NW: This is unimproved wooded property encumbered by an un-built street right-of-way abutting NPS parkland. The transfer would provide continuity of management by NPS.
- (7) Unimproved portion of 30th Street, NW: This is unimproved wooded property encumbered by an un-built street right-of-way within NPS parkland. The transfer would provide continuity of management by NPS.
- (8) Lands over I-395 at Washington Avenue, SW: This property is comprised of landscaped traffic islands and ramps above I-395 in the vicinity of the Rayburn House Office Building. The transfer would provide the site for the Memorial to American Veterans Disabled for Life, which will be managed by the NPS. The District would retain jurisdiction of the subsurface area beneath the memorial for the tunnel, walls, footings and related facilities.
- (9) Portion of Whitehaven Parkway, NW: This is unimproved wooded property that was previously transferred to the District for a proposed mayoral residence

never built at this location. The transfer would provide continuity of management by NPS.

TITLE II, SECTION 202 (b) – PROPERTIES TO BE TRANSFERRED FROM THE SECRETARY TO DISTRICT OF COLUMBIA

- (1) Portion of U.S. Reservation 451: This parkland is encumbered with a one-block section of Gallatin Street, NW, which provides access to an existing District public works facility.
- (2) Portion of U.S. Reservation 404: This property is beneath Canal Road, NW, and is currently the subject of a right-of-way permit to the District. This transfer would provide the District with the requisite interest to adequately operate and maintain the existing roadway.
- (3) U.S. Reservations 44, 45, 46, 47, 48 and 49: This parkland at Eastern Market is contiguous to the Eastern Market Metro Station. The transfer would allow the District to rehabilitate and enhance the northern limits of a newly renovated commercial strip along 8th Street, SE.
- (4) U.S. Reservation 251: This property is at 8th, SE and M Street, SE. This transfer would allow the District to rehabilitate and enhance the southern terminus of a newly renovated commercial strip along 8th Street, SE.
- (5) U.S. Reservation 8: This property at Mount Vernon Square surrounds the City Museum (Carnegie Library), which is owned by the District. This transfer would provide uniform ownership and more efficient management of the entire Square by the District.
- (6) U.S. Reservations 277A and 277C: These properties are located at North Capitol Street and Florida Avenue, NW, and at North Capitol Street and Lincoln Road, NE. Through a misunderstanding, the District issued permits to local community groups authorizing the landscaping of these properties. The transfer would provide continuity of management by the District.
- (7) Portion of U.S. Reservation 470: This Fort Reno Park property contains a salt dome and leaf collection and storage operation that the District has operated under permits from the NPS for many years. This transfer would provide the District with the proper interest in the property to administer and maintain new facilities at this location.

TITLE II, SECTION 202 (c)(1) PROPERTIES TO BE CONVEYED TO THE SECRETARY BY THE DISTRICT OF COLUMBIA

- (A) Lovers Lane, NW: This property is a one-block long former roadway located adjacent to Montrose Park and Dumbarton Oaks, which is owned by Harvard University. The conveyance would facilitate elimination of the unused

roadbed and would provide NPS and Dumbarton Oaks with sufficient interests to perform maintenance along walls and other park facilities along the roadway.

(B) Needwood, Niagara and Pitt Streets: These properties are former street rights-of-way and has been occupied by the Chesapeake and Ohio Canal since the 19th century. The conveyance would provide the NPS with sufficient interests to manage portions of the Chesapeake and Ohio Canal National Historical Park in Georgetown.

**TITLE II, SECTION 202 (c)(2) – PROPERTIES TO BE CONVEYED
BY THE SECRETARY TO THE DISTRICT OF COLUMBIA**

(A) U.S. Reservation 17A: This former trash transfer site was transferred to the District for trash disposal purposes in 1947. Conveyance of title would permit the District to implement the approved Near Southeast Redevelopment Plan.

(B) U.S. Reservation 484: This property at Randall School and park was transferred to the District for recreation purposes in 1973. Conveyance of title would permit redevelopment of South Capitol Street by the District.

(C) U.S. Reservations 243, 244, 245, and 247: These triangles at Potomac Avenue were transferred to the District for highway purposes in 1944. Conveyance of title would permit development in conjunction with the proposed baseball stadium.

(D) U.S. Reservations 128, 129, 130, 298 and 299: These triangles are located at Virginia Avenue. Conveyance of title would allow the District to reconfigure the small triangles into useable open space in conjunction with redevelopment of adjacent private property in accordance with the Anacostia Waterfront Plan.

(E) Portions of U.S. Reservations 343D and 343E: This narrow stretch of Anacostia Park at 11th Street, SE, is occupied by District Public Works facilities, U.S. Corps of Engineers facilities, District Water and Sewer facilities, Anacostia Community Boathouse Association, Inc., Washington Yacht Club, District Yacht Club, Eastern Power Boat Club, Seafarers Boat Club and the Anacostia Marina. Conveyance of title to the District provides the opportunity for the District to redevelop and enhance the marina. This cannot be achieved under NPS authorities.

(F) U.S. Reservations 721, 722, and 723: These three small reservations at Waterside Mall were created as urban parks as part of the southwest urban renewal in the 1970s. Conveyance of title would provide the District with an opportunity to reconfigure the property in the private redevelopment of Waterside Mall, including the reopening of 4th Street.

**TITLE II, SECTION 202 (d) – CONVEYANCE OF TITLE OF U.S. RESERVATION
174**

U.S. Reservation 174: This 13,500 square foot reservation at New York Avenue and 11th Street, NW, was transferred to the District in the 1970s as part of the site for the

Old Convention Center with the condition that it was to remain as open space adjacent to the structure. Conveyance of title to the District would be conditioned upon the District completing a final plan for the Old Convention Center site through a public planning process, the plan considering an alternative that maintains U.S. 174 as open space, and the final plan including 1.25 acres of open space.

TITLE II, SECTION 202 (e) - CONVEYANCE OF TITLE FOR EDUCATIONAL PURPOSES

RFK Stadium lands: This not-more-than-15 acre contiguous parcel would be selected by the District from the property bounded by Oklahoma Avenue, NE, Benning Road, NE, the Metro line, and Constitution Avenue, NE, and which is currently being leased by NPS to the District in conjunction with the stadium parking lots. Prior to conveyance to the District, the District would be required to execute a long-term lease for purposes of siting, developing, and operating an educational institution for the public welfare, with first preference for a pre-collegiate public boarding school.

TITLE III – POPLAR POINT

Poplar Point: Poplar Point, located on the east side of the Anacostia River, comprises approximately 100 acres of Anacostia Park. It contains the NPS headquarters for National Capital Parks–East and the U.S. Park Police Anacostia Operations and Helicopter facilities. Conveyance of title to the District would permit redevelopment of the property by the District consistent with the Anacostia Waterfront Framework Plan, dated November 2003. The conveyance is subject to a number of terms, including those related to a deed restriction that 70 acres be used for park purposes, the completion of a land-use plan, the setting aside of sites for potential memorials, and the relocation of existing NPS facilities.

U.S. Senate Committee on Homeland Security and Governmental Affairs

**The Subcommittee on Oversight of Government Management,
the Federal Workforce and the District of Columbia**

**Enhancing Educational and Economic Opportunities in the
District of Columbia
February 28, 2006**

**QUESTIONS FOR THE RECORD
For The Honorable Anthony Williams
Mayor, District of Columbia**

QUESTIONS FROM SENATOR VOINOVICH

1. Mayor Williams, Several Senators would like to see D.C. TAG as a jointly funded program between the federal government and the District. Please describe your reaction to this idea?

Response: I believe that no local funding should be used for the DCTAG program. This is based on the fact that the program is needed for District residents due in large part to the structural imbalance we face. DCTAG is a marquee federal program federal initiative that was established by Congress in the 1999 College Access Act and has been a tremendous success. This program compensates the District for our lack of a state university system by allowing our high school college bound students to attend out-of-state public universities at in-state tuition rates and providing them grants for attending private colleges and universities.

2. Mayor Williams, the original D.C. TAG authorization bill provided the Mayor with the authority to take steps to reduce costs to keep the program financially stable. What cost containment strategies have been implemented to help improve the financial stability of the program?

Response: The State Education Office has implemented the following cost containment measures beginning with FY 2006-2007:

- a. Reduce the maximum award size at public 2-year community colleges from \$10,000 to \$2,500, which will provide an estimated annual savings of \$300,000.
- b. Eliminate summer school payments, which will provide an estimated annual savings of \$300,000.
- c. Establish 24 years as a maximum age for grantees, which restricts the program to college age students as originally intended.
- d. Establish maximum time in the DCTAG program at 6 years, which provides an incentive for program participants to graduate.

3. Mayor Williams, one cost containment option is reducing the annual award from \$10,000 a year to \$8,000 a year for students attending state schools. What is your view on this proposal?

Response: I am not in favor of any changes to the program. To reduce the award size from \$10,000 to \$8,000 would have an adverse impact on students, especially those individuals with lower economic backgrounds who would have to bear the burden of the reduction. For the 2005-2006 school year, of the 4,516 students who have received DCTAG awards to date, 2,199 or 49% received awards in excess of \$7,500, including over 977 who received the maximum award available amount of \$10,000. A reduction of \$2,000 in the DCTAG award would force those students to seek additional funding, most likely student loans, elsewhere in order to continue with their educational pursuits.

4. Mayor Williams, are there any provisions in H.R. 3508 that you would like to highlight? Are there any sections in H.R. 3508 that you have concerns with?

Response: There are no real concerns that I have regarding H.R. 3508. The Omnibus Authorization Act contains a series of amendments and provisions that are very important to the operations and legal bases for the administering the District of Columbia. The provisions that I would highlight include:

- Section 101 Budget Flexibility: Allows the District for FY06 to FY 08 to enact laws increasing local appropriations authority by 6% of the current amount appropriated and supported by tax revenue and 25% of the current amount appropriated and supported by non-tax revenues received during a fiscal year.
- Authority to allocate reserve funds: Allows the District to conduct short-term borrowing from its emergency and contingency reserve funds and establish conditions and timeline for reimbursement.
- Title II-CFO Legislation: Makes permanent the current status of the CFO within the District.
- Section 305 Acceptance of grants not included in an appropriations act: Authorizes the District to accept the use of grants during the course of the fiscal year.
- Section 307 Use of fines imposed for traffic alcohol laws for enhancement and prosecution laws: Authorizes the transfer of funds from the courts to the District and for the District's expenditure of funds once transferred.
- Section 308 IDEA CFO certification reporting requirement: Requires the OCFO to collect from any attorney representing individuals with a Disabilities Education Act case certain certification regarding services provided and disclosure of relationships with certain special education service providers.

QUESTIONS FROM SENATOR AKAKA

S. 1838, Federal and District of Columbia Government Real Property Act of 2005:

1. In response to my question on how the District will handle environmental clean-up of the land received from the federal government, you stated that you will decide on a case-by-case basis. I am concerned that the District has not identified a funding stream for the environmental clean-up. Will you please clarify how the District plans to pay for the environmental clean-up of land transferred from the federal government in the Federal and District of Columbia Government Real Property Act?

Response: The economic value within the proposed land parcels is sufficient to finance environmental remediation costs. This conclusion is based on preliminary environmental assessments at the largest sites, Poplar Point and Reservation 13, and our evaluation of all sites that are part of the transfer legislation. This conclusion is drawn from an assessment that considers the value inherent within the uses laid out in the Anacostia Waterfront Framework Plan and requirements for public space set asides within the legislation itself.

It should also be noted that the District agreed to this proposal with "eyes wide open" with respect to the environmental challenges at this site. The exchange of environmental responsibilities was one of the many factors that make this bill a balanced exchange and any evaluation of this one aspect of the bill must be considered within the context of the entire legislative package.

As to the specific question of how the District will finance the environmental remediation expenses themselves, there are several models the District could adopt. As stated at the hearing, we expect to apply these different models on a case-by-case basis depending on the specific circumstances of our planned use of the individual site.

One approach is to allocate funds directly for clean-up costs, just as the District has allocated \$15 million in local capital resources for FY 2006 for infrastructure needs and site improvements at Reservation 13. Another approach would be to invest the proceeds from the sale or long-term lease of individual parcels to finance clean-up costs. A third option would be to require the firm that develops the individual parcels to clean up the site to specified levels. In this case, the sale or lease price that the District generates from that individual site would be offset by the costs that the developer plans to incur to pay for the remediation. A fourth alternative would be to fund the remediation costs out of future tax revenues generated by private development on any given site.

2. How far will the land transfer proposed in the Federal and District of Columbia Government Real Property Act go towards correcting the structural imbalance in the District of Columbia?

Response: In its 2003 report, the Government Accountability Office calculated that the District faces a structural imbalance that totals \$470 million to \$1.1 billion per year. This analysis evaluated the cost of providing services in the District and the District's capacity to raise revenue

and compared these costs to average costs across the country for both state-like services and city-like services.

Although we have not conducted an analysis about how the land bill would impact the District's structural imbalance (and we would welcome such analysis), some results could certainly be anticipated. First, the legislation is not likely to have a direct impact on the cost of providing services in the District, which is driven by high levels of poverty, substantial public safety needs, and the District's high-cost of living. The legislation will, however, have a positive impact on the District's ability to raise revenue by converting high-value land away from uses that do not contribute to the tax base towards more productive uses that will contribute to the economic base of the District.

Our plans for Reservation 13 are a prime example: new residential areas will contribute real property tax revenue to the District's bottom line and provide new places for residents to live that will have a positive impact on income tax collections; commercial and retail uses will also provide opportunities to collect new revenues where none existed before.

Although we have no precise data to provide on how this legislation would offset our structural imbalance, this legislation will certainly have a positive impact on our tax base over the long-term and help soften the magnitude of our structural imbalance.

H.R. 3508, the 2005 District of Columbia Omnibus Authorization Act:

3. As you mentioned in your written testimony, the District of Columbia Public Schools (DCPS) are in jeopardy of receiving an unclean audit in fiscal year 2007 because of a change to the start date of the DCPS fiscal year in H.R. 3797, the 2004 District of Columbia Omnibus Authorization Act (P.L. 108-386). This change was requested by the District of Columbia.

Why did you request a change to DCPS's fiscal year if the District was unprepared to implement the change?

Response: At the time the request was made it was not clearly established that the enactment of a different fiscal year for DCPS would cause the challenges that have been identified. However, it is now clear that until the District develops the necessary methods and mechanisms for overcoming the challenges identified, we can not move forward with enacting the change.

QUESTIONS FROM SENATOR COBURN

1. What is the District's plan to ensure that the development of the land set to be transferred in S. 1838 is done in the most cost effective manner?

Response: For those parcels within S. 1838 that are slated for development, our general plan is to compete these parcels through a fair and open process that allows us to develop these parcels in a manner that allows the greatest possible return to District taxpayers and residents. I will focus my

specific response to our plans for the largest parcels which will have the greatest development potential, Reservation 13 and Poplar Point. I will answer with as much specificity as possible at this early date in the planning process.

Reservation 13

The District's plans for Reservation 13 are the end result of a comprehensive community-based planning process which addresses the needs and preferences of the neighbors in the vicinity. As an outcome of this dialogue, there is a strong community preference for a mixed use on the site that includes housing, retail, public space for a national monument, and space for health care services. This plan will be executed by issuing a competitive solicitation for development and construction of the housing and retail.

Poplar Point

Plans for Poplar Point envision an integrated mixed-use approach to connecting historic Anacostia to the river itself. As the legislation requires, any plan for Poplar Point must retain 70 acres of open parkland to be operated as a park by the District of Columbia. The legislation also requires the District to identify alternative arrangements for the current functions maintained by the national Park Service on this site, which includes office space for the Park Police headquarters, and the Park Police helipad.

The District has not finalized planning for this site yet, but one option under consideration would be a soccer stadium as the future home of D.C. United. Unlike the baseball stadium, this project would be run and administered by the team itself and/or in concert with the developer or the associated mixed use development, not the District of Columbia. Other potential projects on the Poplar Point site, such as housing or commercial buildings, would be constructed by private developers.

- 2. Among other pieces of land the District of Columbia will receive under S. 1838, the most significant pieces are for development of the Anacostia Waterfront as well as for the new baseball stadium. What is your commitment to developing this property through a process of fair and open competition for all companies interested in bidding on construction and repair contracts?**

Response: The District has a contract in place to construct the new baseball stadium along the Anacostia Waterfront that provides for fair and open competitions that allow for the participation of both union companies and non-union companies. It is my full expectation that the development of parcels throughout this legislation will provide for the same such participation. The answer to the previous question addresses the type of contracts and development that is expected at the largest parcels within this legislation, Reservation 13 and Poplar Point.

3. Will you commit to allowing both union and non-union companies to bid on development contracts that the District will be awarding to develop this land?

Response: It is my full expectation that the development of parcels throughout this legislation will provide for fair and open competitions that allow for the participation both union companies and non-union companies.

QUESTIONS FROM SENATOR LEVIN

1. Mayor Williams, as you know, since the late 1980s, I have urged the mayors of the District of Columbia and Commissioners of the D.C. Taxicab Commission to implement the recommendations of numerous District of Columbia studies to replace the current taxicab zone fare with a meter system. According to the nationwide Taxicab, Limousine, and Paratransit Association, the District of Columbia is the only major city in the nation where taxi fares are calculated by a zone system rather than a meter system. The use of the zone system is especially unfair to our great number of out-of-town tourists who have to cope with a complicated, confusing zone fare system with no basis on which to judge the accuracy of a particular fare. Simply put, the current zone system compromises the integrity of the D.C. taxicab system. In my own experience, as a D.C. resident, I have encountered at least 10 different cab fares for the exact same trip to and from Reagan National Airport. A metered system would eliminate this problem.

Mr. Mayor, there has been quite a bit of correspondence and personal conversations with you on this issue. Despite multiple promises from you personally, as well as previous mayors, the District of Columbia has failed to act. In your letter of October 10, 2001, which I included in remarks on this subject in the Congressional Record of November 7, 2001 (page S 11532-54), you wrote, "It is anticipated that meters could be required in District taxicabs by early next year. I thank you for your interest in this matter and for sharing my commitment to improve the District's taxicab industry." When this deadline slipped, you subsequently advised my office of your plan to implement a meter demonstration project within a 12 month period, whereby over 20 metered taxicabs would operate in an effort to test and phase in a meter system. To date, there has been no feedback on such a demonstration project, nor has there been any definitive action taken to support your own endorsement of a taxicab meter system.

I intend to do all I can to insure that promises made on the taxi meter matter are promises kept. Please describe the current intentions of your Administration in this matter.

Response: In my letter dated October 21, 2001, I indicated that it is anticipated that meters could be required in District taxicabs by early 2002. Two factors attributed to delays in conducting an experiment on the use of time and distance meters in the District. The first factor and by far the greatest hindrance was lack of driver support to act as paid participants in the proposed meter study. That, coupled with budget constraints prevented the experiment from moving forward as planned. However, I am proud to report with major outreach to taxicab companies and drivers a team of willing participants was found and dedicated dollars set aside.

On October 3, 2005 the District of Columbia began an experimental study on the use of time and distance meters, (Taxicab Information Project "TIP"), for the purposes of determining a revenue neutral rate should the District decide to transition to meters. The District recently concluded the data collection phase of TIP on May 31, 2006 with 20 plus taxicabs operating as data collectors for the duration of the project. The results of the study will be available in early July. A copy of the report will be forwarded to your office upon completion of the statistical analysis.

Upon completion of the analysis and Taxicab Commission review, the Commission will vote on a proposed rule authorizing the installation of meters and a recommended meter rate. The Commission will then make a request to my office for a resolution to be sent to the Council of the District of Columbia. The Council has a 60-day passive approval of the proposal after which, the Taxicab Commission will take final action on the proposed rule making and proceed with implementation. This process will take at least 6 months to complete. Implementation will include an RFP for meters, certification for mechanic shops performing installations, the purchase of machines to calibrate the meters, significant staff training, and a new set of regulations regarding meters. Under current conditions, we could begin to see metered taxicabs as early as June of 2007.

